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PART VI.

***Bills Introduced in the Council of State and Legislative Assembly,
Reports of Select Committees presented to the Council
and Assembly and Bills published under Rule 18 of the Indian
Legislative Rules.***

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

*A bill to consolidate, amend and extend the law relating to
Insurance Companies.*

WHEREAS it is expedient to consolidate, amend and extend
the law relating to Insurance Companies; It is hereby enacted
as follows:—

CHAPTER I.

PRELIMINARY.

Short title, ex-
tent and com-
mencement

1. (1) This Act may be called the Indian Insurance
Companies Act, 1925.

(2) It extends to the whole of British India, including
British Baluchistan and the Sonthal Parganas.

(3) It shall come into force on such date as the Governor
General in Council may, by notification in the Gazette of India
appoint.

Definitions:

2. In this Act, unless there is anything repugnant in the
subject or context,—

(a) "accident insurance business" means the issue of, or
the undertaking of liability under, policies of insurance upon
the happening of personal accidents, whether fatal or not,
disease, or sickness, or any class of personal accidents, disease,
or sickness;

(b) "actuary" means an actuary possessing such qualifica-
tions as may be prescribed;

(c) "certified", in relation to any copy or translation of a
document required to be furnished by or on behalf of an
insurance company, means certified by a responsible officer of
the company to be a true copy or a correct translation, as the
case may be;

(d) "chairman" means the person for the time being presiding over the board of directors or other governing body of an insurance company;

(e) "Court" means the principal Civil Court of original jurisdiction in a district, and includes the High Court in the exercise of its ordinary original civil jurisdiction;

(f) "dividing society" means any insurance company which carries on business on the dividing principle, namely, under which the benefit secured by any policy issued by it is not fixed, but depends either partly or wholly on the results of the division of any portion of the premium income or funds amongst policies which have become due for payment either equally or in proportion to the premiums received under each class in any specified period;

(g) "financial year", in relation to any insurance company, means each period of twelve months at the end of which the balance of the accounts of the company is struck, or, if no such balance is struck, then the calendar year;

(h) "fire insurance business" means the issue of, or the undertaking of liability under, policies of insurance against loss by or incidental to fire;

(i) "insurance company" means any person (other than a Provident Insurance Society registered under the Provident Insurance Societies Act, 1912) who carries on any class of insurance business in British India, and includes any person who intends to carry on any such business or has appointed or recognises any other person as his agent in British India with the object of obtaining insurance business of any class;

(j) "life insurance business" means the issue of, or the undertaking of liability under, policies of assurance on human life, or the granting of annuities on human life;

(k) "life insurance company" means an insurance company which carries on life insurance business either solely or in conjunction with any other business or businesses;

(l) "life policy" means any instrument by which the payment of money is assured on death (except death by accident only) or the happening of any contingency dependent on human life, or any instrument evidencing a contract which is subject to payment of premiums for a term dependent on human life, and includes any instrument which provides for the payment of an annuity for a term dependent on human life;

(m) "marine insurance business" means the issue of, or the undertaking of liability under, policies of insurance against loss or damage to any vessel or to goods, wares, merchandise or property of any kind in transit by water;

(n) "policy" means a policy of insurance or assurance in any class of insurance business, and includes any policy under which there is for the time being an existing liability already accrued, or under which any liability may accrue;

(o) "policy-holder" means the person who for the time being is the legal holder of a policy for securing a contract with an insurance company;

(p) "prescribed" means prescribed by rules made under this Act;

(q) "the Registrar", in relation to any insurance company, means the person performing the duty of the registration of companies under the Indian Companies Act, 1913, in the province in which the principal office of the insurance company is situated; and

(r) "workmen's compensation insurance business" means the insuring of employers against liability to pay compensation or damages to workmen.

Act of 1912

Act of 1913

CHAPTER II.

GENERAL PROVISIONS.

Principal office.

3. (1) Every insurance company shall have a principal office in British India to which all communications and notices may be addressed.

(2) Any notice or process required to be served on an insurance company shall be sufficiently served if left at or sent by post to the principal office of the company.

Particulars to be filed.

4. Every insurance company shall, within one month from the commencement of this Act or before it begins to carry on business, whichever is later, furnish to the Governor General in Council—

(a) a certified copy of the charter, statutes, deed of settlement or memorandum and articles of the company, or other instrument constituting or defining the constitution of the company, and, if the instrument is not written in the English language, a certified translation thereof;

(b) the full address of the principal office of the company in British India;

(c) the names of the directors, principal officer and the auditor of the company in British India;

(d) a statement of the classes of insurance business carried on or intended to be carried on by the company in British India;

and, in the event of any alteration being made in any such instrument or in the address of the principal office or in the names of such persons or in such classes of business as aforesaid, the company shall forthwith furnish to the Governor General in Council particulars of the alteration.

Name of company.

5. An insurance company constituted in British India after the commencement of this Act shall not have a name identical with that of a company already in existence in British India, or so nearly resembling that name as to be likely to deceive.

Deed of settlement.

6. Every insurance company shall cause a sufficient number of copies of its deed of settlement or other instrument constituting the company to be printed, and shall, on the application of any member or policy-holder, furnish to him a copy of such deed or instrument on payment of a sum not exceeding one rupee.

List of members.

7. Every life insurance company constituted in British India, shall keep a list of the names and addresses of its members and shall, on the application of any member or policy-holder of the company, furnish to him a copy of such list on payment of a sum not exceeding six annas for every hundred words required to be copied.

Publication of capital.

8. Where any notice, advertisement or other official publication of an insurance company contains a statement of the amount of the authorised, issued or subscribed capital of the company, the publication shall also contain a statement of the amount of the capital which has been paid up.

Prohibition of loans to directors, etc.

9. An insurance company constituted in British India shall not, after the commencement of this Act, grant loans or temporary advances either on hypothecation of property, or on personal security, except loans on its life policies within their surrender values, to any director, managing agent or officer of the company or, where the insurance company is a firm, to any partner therein or to any other company or firm in which any such director, managing agent, officer or partner holds the position of director, managing agent, officer or partner.

CHAPTER III.

DEPOSITS.

Amount of deposit.

10. Subject to the provisions of this Chapter, every insurance company shall deposit and keep deposited with the Controller of Currency for and on behalf of the Governor General in Council, in respect of any class or classes of insurance business carried on or intended to be carried on by it in British India, Government securities as defined in the Indian Securities Act, 1920, of the face value hereinafter specified in respect of that class or those classes, as the case may be, that is to say—

- (a) of the face value of two hundred thousand rupees in respect of life insurance business ;
- (b) of the face value of one hundred thousand rupees in respect of each of the following classes, namely :—
 - (i) workmen's compensation insurance business,
 - (ii) accident insurance business,
 - (iii) fire insurance business ; or
 - (iv) marine insurance business ; and
- (c) of the face value of one hundred thousand rupees in respect of any other class or class of insurance business ;

Provided that an insurance company shall not be liable to deposit Government securities of a total face value exceeding two hundred thousand rupees in respect of any of the classes of business referred to in clauses (b) and (c).

Deposit when to be made.

11. Every deposit required by section 10 shall be made, in the case of an insurance company which is carrying on insurance business at the commencement of this Act or which begins to carry on such business within six months of such commencement, before the expiry of that period and, in other cases, before the insurance company begins to carry on such business :

Provided that, in case of a life insurance company constituted in British India, the Governor General in Council may, on the application of the insurance company, permit the deposit of securities in respect of life insurance business to be made in five annual instalments, of which the first shall be a deposit of securities of the face value of one hundred thousand rupees made before the expiry of six months from the commencement of this Act or before the Company begins to carry on life insurance business, according as the company has begun to carry on such business before or after such expiry, and the remainder shall be deposits of securities of the face value of ten, twenty, thirty and forty thousand rupees respectively made in each case before the close of the calendar year next following that in which the previous deposit fell due for payment.

Deposit by Indian mutual companies.

12. In the case of a mutual insurance company constituted in British India, the Governor General in Council may, on the application of the company, exempt the company from making any deposit or permit the deposit of securities to be made at such rate or at such intervals as he thinks fit, and subject to such conditions as he may think desirable to impose with regard to payment of part of the premium income to trustees or, where the company carries on or intends to carry on life insurance business, to the frequency with which the company shall undergo actuarial investigation and to the principles on which such actuarial investigation shall be carried out.

Manner of dealing with deposits already made.

13. Securities already deposited by an insurance company with the Controller of Currency in compliance with the Indian Life Assurance Companies Act, 1912, shall be deemed to have been deposited under this Act in respect of the life insurance business of the company.

Income deposits.

14. The insurance company by which any deposit has been made under this Act shall be entitled to receive the income derived from the securities so deposited.

Protection of deposits from attachment, etc.

15. Securities deposited by an insurance company under this Act shall be deemed to be part of the assets of the company, but shall not be capable of being assigned or charged or be liable to attachment, and, save as expressly provided by this Act, shall not be returnable to the insurance company or to any person on its behalf.

Refund of deposit.

16. Where an insurance company has ceased to carry on in British India any class of insurance business in respect of which securities have been deposited under this Act, and its liabilities in British India in respect of business of that class have been satisfied or are otherwise provided for, the Court may, on the application of the company, order the securities deposited in respect of business of that class to be returned to the company.

Substitution of deposit.

17. An insurance company may at any time substitute for any securities deposited under this Act any Government securities of the same face value.

CHAPTER IV.

ACCOUNTS AND RETURNS.

Separation of accounts and funds.

18. (1) Save as hereinafter provided in this Chapter, every insurance company shall keep a separate account of all receipts and payments in respect of each class of insurance business carried on by it, and the excess of receipts over payments in each class shall form a separate insurance fund with an appropriate name.

(2) For the purposes of this section, workmen's compensation insurance business transacted in British India shall be deemed to be a class of business separate from workmen's insurance business transacted elsewhere.

(3) Any business carried on by an insurance company as incidental to insurance business of a particular class may be treated as insurance business of that class for the purposes of this Act.

Joint accounts and funds.

19. Any insurance company which has, during the five years immediately preceding the commencement of this Act, kept a joint account and maintained a joint fund in respect of any two or more classes of insurance business, not being workmen's compensation insurance business transacted in British India or life insurance business, shall be entitled to continue to keep such account and maintain such fund, and any other insurance company may, on application made to the Governor General in Council, be permitted to keep a joint account and maintain a joint fund in respect of any two or more of such classes of business as aforesaid.

Liability of funds.

20. A fund formed in respect of any particular class or classes of insurance business shall be as absolutely the security of the policy-holders of that class, or those classes as though it belonged to an insurance company carrying on no other business, and shall not be liable for any contracts of the insurance company for which it would not have been liable had the business of the company been only that of insurance of that class; that clause in the Act may be applied and shall not be applied directly or indirectly for any purpose other than those of the class or classes in respect of which the fund has been formed.

Accounts and
balance sheet

21. (1) Every insurance company shall, at the expiration of each financial year, prepare—

- (a) a revenue account for the year in the form or forms, applicable to the class or classes of insurance business carried on by the company, set forth in the First Schedule or in such form or forms as may be prescribed and are so applicable;
- (b) a profit and loss account in the form set forth in the Second Schedule, except where the company carries on insurance business of one class only and no other business;
- (c) a balance-sheet in the form set forth in the Third Schedule; and
- (d) a statement of the share capital in such form as may be prescribed.

(2) The accounts, balance-sheet and statement shall be audited in the prescribed manner by an auditor who shall possess such qualifications as may be prescribed or shall be approved by the Governor General in Council in that behalf.

Particulars to
be stated in every
revenue account

22. (1) The amounts to be shown in every revenue account shall be the net amounts after deduction of all amounts paid and received in respect of re-insurances of the risks of the insurance company, and may be stated to the nearest rupee.

(2) Where credit has been taken in the balance-sheet for any sum deducted from the expenses of management relating to any class of business, the sum so deducted shall be shown separately in the revenue account for that class of business.

(3) Every revenue account shall state how much of the premium income of the year relates to business of the insurance company transacted in India.

Liability for
outstanding
claims and
reserve for
expired risk

23. (1) To every revenue account in which the estimated liability in respect of outstanding claims is required to be stated there shall be appended a separate statement in such form as may be prescribed showing particulars of the outstanding claims and the liability estimated in respect thereof.

(2) Every revenue account in which the reserve for un-expired risks is required to be stated shall, if the reserve is less than forty per centum of the premium income of the year, show how such reserve has been determined.

Particulars to
be stated in
balance-sheet

24. (1) Every balance-sheet shall state how the values placed on each of the investments set forth therein have been determined, and the value of any such investment shall not be in excess of the cost price or the market value, whichever is higher.

(2) A certificate shall be appended to the balance-sheet to the effect that the assets are in the aggregate fully of the value stated therein, less any investment depreciation reserve taken into account.

(3) If the insurance company holds any shares to which a liability attaches in respect of any amounts unpaid thereon, the full amount of the liability shall be stated separately in the balance-sheet.

(4) Where debentures have been issued or loans raised which are charged on any of the assets of the insurance company, full particulars of such charge shall be appended to the balance-sheet.

(5) Where the balance-sheet includes amongst the assets any sums representing expenses of organisation or extension, or the purchase of business or good will, or bad debts, or the adverse balance of the profit and loss or of any revenue account, a statement of such sums in the form prescribed shall be appended to the balance-sheet.

(6) The balance-sheet shall have a statement appended to it showing the assets held by the insurance company in British India.

(7) Where any part of the assets of the insurance company is specifically deposited in any country outside British India under the law in force in that country as security to the holders of policies issued in that country, the country in which the policies were issued and the amount deposited therein in respect of each class of insurance business shall be stated in the balance-sheet.

Actuarial report
and abstract.

25. (1) Every life insurance company shall once in every five years, or at such shorter intervals as may be required by the instrument constituting the company or by its regulations or bye-laws, cause an investigation to be made into its financial condition by an actuary, and shall cause an abstract of the report of such actuary to be made in the form set forth in the Fourth Schedule.

(2) The provisions of sub-section (1) regarding the making of an abstract shall also apply whenever at any other time an investigation into the financial condition of a life insurance company is made with a view to the distribution of profits or to the ascertainment of its exact financial condition.

(3) There shall be appended to every such abstract as aforesaid a certificate to the effect that full and accurate particulars of every life policy under which there is liability, either actual or contingent, have been furnished to the actuary for the purpose of the investigation.

(4) There shall be appended to every such abstract as aforesaid particulars of the life policies in force on the date as at which the investigation is made, in the form set forth in Fifth Schedule: Provided that, if the investigation is made annually by any company, such particulars need not be appended every year but at least once in every five years.

Audit at date of
valuation.

26. Where an investigation into the financial condition of a life insurance company is made as at a date other than the expiration of the company's financial year, the accounts for the period since the expiration of the last financial year and the balance-sheet as at the date at which the investigation is made shall be prepared and audited in the manner provided by or under this Act.

Statements of
new and dis-
continued poli-
cies.

27. Every life insurance company shall, at the expiration of each financial year, prepare statements giving such particulars regarding the business transacted during that year as are referred to in the form set forth in the Seventh Schedule or as may be prescribed.

Submission of
returns.

28. Every account, balance-sheet, statement, and actuarial abstract required by any of the preceding provisions of this Chapter shall be printed, and four copies thereof, one of which shall be signed by the chairman and two directors of the company and by the principal officer of the company and, if the company has a managing director, by the managing director, or, in the case of a firm, by two partners therein, shall be furnished to the Governor General in Council, in the case of accounts, balance sheets and statements within six months, and in the case of actuarial abstracts within one year, after the close of the period to which the account, balance-sheet, statement or abstract relates:

Provided that the Governor General in Council may in any case extend the period allowed by this section by such further period as he thinks fit.

Returns from
companies carry-
ing on business
in the United
Kingdom.

29. An insurance company constituted outside British India to which the Assurance Companies Act, 1909, applies, may, in lieu of the returns required by section 28, furnish the returns deposited with the Board of Trade by the company in compliance with that Act, provided that the following statements, signed

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by the principal officer of the company in British India, are also furnished along with those returns, namely :—

- (a) a statement showing, for each class of insurance business, how much of the premium income of the year to which the returns relate is in respect of business transacted by the company in India ;
- (b) a statement showing the assets held by the company in British India ;
- (c) where the company carries on life insurance business, a statement showing the life policies issued in India by the company during the year ; and
- (d) where the company carries on workmen's compensation insurance business, a revenue account in respect of such business transacted by the company in British India.

Defective returns.

30. (1) If any return furnished to the Governor General in Council appears to him to be inaccurate or defective in any respect, he may call upon the company to furnish a further statement correcting any such inaccuracies or supplying any such deficiencies.

(2) Where the Governor General in Council has called upon an insurance company to furnish a further statement as aforesaid, he shall specify the time within which such further statement shall be furnished, and may also stipulate that such further statement shall be certified by the auditor or by the actuary, as the case may be.

(3) Where any inaccuracy or deficiency disclosed by a further statement so furnished entails an alteration of the original returns, it shall be the duty of the insurance company, to amend the returns accordingly.

Appointment of an inspector.

31. (1) Where an insurance company has failed to furnish any return hereinbefore referred to, or to furnish a further statement when required to do so, within the specified time, or where the Governor General in Council is of opinion that any such return or further statement discloses an unsatisfactory state of affairs or that such further statement is insufficient he may appoint an inspector to examine into the affairs of the company and to report thereon in such manner as he may direct.

(2) Where an inspector has been appointed under sub-section (1), the provisions of section 140 of the Indian Companies Act, 1913, shall apply for the purposes of any examination made by him. VII of 1913

(3) All expenses of and incidental to the inspection shall be paid by the insurance company and, in the event of the winding up of the insurance company before such expenses have been paid, shall be payable out of the assets of the company in priority to all other claims at the date of the winding up.

Submission of the affairs of a company to an auditor for examination.

32. If the Governor General in Council, on considering any return or further statement furnished by a life insurance company, is of opinion that the company is in such a position that there is reason to doubt its ability to fulfil its contracts, he may require it to submit its affairs to the examination of an actuary with a view to ascertaining the exact position and to formulating plans for dealing with it, and shall specify the time within which the actuary's report shall be furnished to him by the company.

Right of shareholders and policy-holders to copies of accounts, etc.

33. A printed copy of the accounts, balance-sheet, abstract, or statement, last furnished to the Governor General in Council in accordance with the provisions of section 28, shall, on the application of any member or policy-holder of the company, be forwarded to him by the company by post or otherwise.

Filing of re-
ports.

34. Every insurance company shall furnish to the Governor General in Council a certified copy of every report on the affairs of the company submitted to the members or policy-holders of the company, forthwith after its submission to the members or policy-holders.

Filing of abstract of proceedings of meeting

35. Every insurance company shall furnish to the Governor General in Council an abstract of the proceedings of every general meeting of the company. Every such abstract shall be despatched within fifteen days after the holding of the meeting to which it relates.

Custody and inspection of documents

36. Every return, furnished to the Governor General in Council or a certified copy thereof, shall be kept by the Registrar, and any such returns or copies shall be open to inspection, and any person may procure a copy of any such return or of any part thereof on payment of a fee of six annas for every hundred words or fractional part thereof required to be copied.

Evidence of documents

37. (1) Every return furnished to the Governor General in Council which has been certified by the Registrar to be a return so furnished shall be deemed to be a return so furnished.

(2) Every document purporting to be certified by the Registrar to be a copy of a return so furnished shall be deemed to be a copy of that return, and shall be received in evidence as if it were the original return, unless some variation between it and the original return be proved.

Summary of returns to be published

38. The Governor General in Council shall from time to time cause to be published, in such manner as he may direct, a summary of the accounts, balance-sheets, statements, abstracts and other returns under this Act, or purporting to be under this Act, which have been furnished to him, and may append to such summary any note of the Governor General in Council thereon and any correspondence in relation thereto.

Returns to be published in statutory forms.

39. No insurance company shall publish in British India any of its returns in forms other than those in which they have been furnished to the Governor General in Council.

CHAPTER V.

AMALGAMATION.

Amalgamation or transfer.

40. No life insurance company constituted in British India shall amalgamate with another insurance company, or transfer its life insurance business or any portion thereof to another insurance company, unless the amalgamation or transfer is sanctioned by the Court.

Statements required before amalgamation.

41. (1) Before an application is made to the Court to sanction the amalgamation of two or more insurance companies of which any one is a life insurance company constituted in British India, or the transfer of any life insurance business of one such insurance company to another insurance company, notice of the intention to make the application, together with a statement of the nature of the amalgamation or transfer, as the case may be, and of the reason therefor, shall, at least two months before the application is made, be sent to the Governor General in Council and to every holder of a life policy of each company who is resident in British India, and the following documents shall be furnished to the Governor General in Council, and shall during the two months aforesaid be kept open for the inspection of the members and policy-holders at

the principal and branch offices or agencies of the insurance companies concerned, namely :—

- (a) a draft of the agreement or deed under which it is proposed to effect the amalgamation or transfer ;
- (b) certified copies of statements of the assets and liabilities of the insurance companies concerned in such amalgamation or transfer ; and
- (c) certified copies of the actuarial or other reports including a report by an independent actuary, on the proposed amalgamation or transfer.

(2) A notice required by sub-section (1) to be sent to a policy-holder may be addressed and sent to the person to whom the notices respecting the policy are usually sent, and any notice so addressed and sent shall be deemed to be notice to the holder of the policy.

Sanction of
amalgamation by
Court.

42. When an application is made to the Court to sanction the amalgamation of two or more insurance companies of which any one is a life insurance company constituted in British India, or the transfer of any life insurance business of one such insurance company to another insurance company the Court shall cause a statement of the nature and terms of the amalgamation or transfer, as the case may be, to be published in such manner and for such period as it may direct and, after hearing the directors or other persons whom it considers entitled to be heard, may sanction the arrangement if it is satisfied that no sufficient objection to the arrangement has been established.

Statements
required after
amalgamation.

43. Where an amalgamation takes place between any insurance companies or where any insurance business of one insurance company is transferred to another, the insurance company formed by the amalgamation or the purchasing company, as the case may be, shall, within one month from the date of the completion of the amalgamation or transfer, furnish to the Governor General in Council—

- (a) a certified copy of the agreement or deed under which the amalgamation or transfer has been effected ; and
- (b) a declaration under the hand of the chairman and the principal officer of each company that to the best of their belief every payment made or to be made to any person whatsoever on account of the amalgamation or transfer is therein fully set forth, and that no other payments beyond those set forth have been made or are to be made either in money, policies, bonds, valuable securities or other property by or with the knowledge of any parties to the amalgamation or transfer.

CHAPTER VI.

PENALTIES AND PROCEDURE.

Penalty for
non-compliance
with Act

44. Any insurance company which makes default in complying with any of the requirements of this Act, and every director, manager or secretary, or other officer or agent of, or partner in, the company who is knowingly a party to the default, shall be punishable with fine which may extend to one thousand rupees, and in the case of a continuing default, with an additional fine which may extend to five hundred rupees for every day during which the default continues.

Penalty for
falsifying
documents.

45. If any account, balance-sheet, statement, abstract or other document required by this Act is false in any particular to the knowledge of any person who signs it, such person shall be punishable with imprisonment for a term which may extend to two years, or with fine, or with both.

Cognisance of offences.

46. No Court inferior to that of a Presidency Magistrate or a Magistrate of the first class shall try any offence under this Act.

Publication of default.

47. The Governor General in Council may publish, in the Gazette of India and in such other manner as he may direct, particulars of default made by an insurance company in complying with any of the requirements of this Act, provided that the default is continuing for a period of three months after the date on which the attention of the insurance company has been drawn to the fact, and, in the case of an insurance company constituted in British India, may at the same time notify that this publication is a ground on which any member or policy-holder of the company may apply to the Court at the expense of the company for a winding up order.

CHAPTER VII.

WINDING UP.

Special provisions as to winding up of insurance companies.

48. The Court may order the winding up, in accordance with the Indian Companies Act, 1913, of an insurance company constituted in British India, and the provisions of that Act shall apply accordingly, subject, however, to the modification that the company may be ordered to be wound up—

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- (a) on the petition of any member or policy-holder at the expense of the company where a notification has been made to this effect by the Governor General in Council under section 47; or
- (b) on the petition of ten or more policy-holders presented with the leave of the Court, which leave shall not be granted until a *prima facie* case has been established to the satisfaction of the Court, and until security for costs for such amount as the Court may think reasonable has been given; or
- (c) on application made on behalf of the Governor General in Council specifying grounds on which it appears to him that the company is insolvent.

Winding up of subsidiary companies.

49. (1) Where the insurance business or any part of the insurance business of an insurance company has been transferred to another insurance company under an arrangement in pursuance of which the first-mentioned company (in this section referred to as the subsidiary company) or the creditors thereof has or have claims against the company to which such transfer was made (in this section referred to as the principal company), then, if the principal company is being wound up by or under the supervision of the Court, the Court shall (subject as hereinafter mentioned) order the subsidiary company to be wound up in conjunction with the principal company, and may by the same or any subsequent order appoint the same person to be liquidator for the two companies, and make provision for such other matters as may seem to the Court necessary, with a view to the companies being wound up as if they were one company.

(2) The commencement of the winding up of the principal company shall, save as otherwise ordered by the Court, be the commencement of the winding up of the subsidiary company.

(3) In adjusting the rights and liabilities of the members of the several companies between themselves, the Court shall have regard to the constitution of the companies, and to the arrangements entered into between the companies, in the same manner as the Court has regard to the rights and liabilities of different classes of contributories in the case of the winding up of a single company, or as near thereto as circumstances admit.

(4) Where any company alleged to be subsidiary is not in process of being wound up at the same time as the principal company to which it is alleged to be subsidiary, the Court shall not direct the subsidiary company to be wound up unless, after hearing all objections (if any) that may be urged by or on

behalf of the company against its being wound up, the Court is of opinion that the company is subsidiary to the principal company, and that the winding up of the company in conjunction with the principal company is just and equitable.

(4) An application may be made in relation to the winding up of any subsidiary company in conjunction with a principal company by any creditor of, or person interested in, the principal or subsidiary company.

(5) Where a company stands in the relation of a principal company to one insurance company, and in the relation of a subsidiary company to some other insurance company, or where there are several insurance companies standing in the relation of subsidiary companies to one principal company, the Court may deal with any number of such companies together or in separate groups, as it thinks most expedient, upon the principles laid down in this section.

Return
deposits.

50. When a insurance company is being wound up, the liquidator or liquidators shall apply to the Court for an order for the return of the securities deposited by the company under this Act, and the Court shall, on such application, order the return of the deposit subject to such terms and conditions as it shall direct.

Valuation of
policies in case of
winding up.

51. Where an insurance company is being wound up, the value of a policy of any class or of a liability under such a policy requiring to be valued in such winding up shall be estimated in the manner, applicable to policies and liabilities of that class, provided by the Sixth Schedule.

Rules of valuation.

52. The rules in the Sixth Schedule shall be of the same force, and may be repealed, altered, or amended, as if they were rules made in pursuance of section 246 of the Indian Companies Act, 1913, and rules may be made under that section for the purpose of carrying into effect the provisions of this Act with respect to the winding up of insurance companies.

VII of 1913.

Notice of policy
values.

53. Where an insurance company is being wound up, the liquidator, in the case of all persons appearing by the books of the company to be entitled to or interested in policies granted by the company, shall ascertain the value of the liability of the company to each such person, and shall give notice of such value to those persons in such manner as the Court may direct, and any person to whom notice is so given shall be bound by the value so ascertained unless he gives notice of his intention to dispute such value in such manner and within such time as may be specified by a rule or order of the Court.

Power of Court
to reduce con-
tracts of life
insurance com-
panies.

54. The Court, in the case of a life insurance company which has been proved to be insolvent, may, if it thinks fit, in place of making a winding up order, reduce the amount of the contracts of the life insurance company upon such terms and subject to such conditions as it thinks just.

CHAPTER VIII.

SUPPLEMENTAL.

Rules.

55. (1) The Governor General in Council may make rules to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the qualifications to be possessed by actuaries and auditors under this Act;

(b) the manner in which the accounts of insurance companies shall be audited and the particulars to be stated in the reports of auditors;

(c) the form of revenue account, in respect of any class of insurance business for which no form has been set forth in the First Schedule;

- (d) the form of any statement required under clause (d) of sub-section (1) of section 21, sub-sections (1) and (2) of section 23, sub-section (5) of section 24, or section 27;
 - (e) the additional statements of business to be prepared by every dividing society and the manner in which any such statement shall be furnished to the Governor General in Council;
 - (f) the extent, if any, to which an insurance company may treat as an asset any premiums or instalments of premiums which have not actually become due for payment or in respect of which the periods during which payment may be made without penalty have expired before the close of the year of account, and the manner in which such items shall be shown in the accounts and balance-sheet;
 - (g) the determination of the business of an insurance company which shall be deemed to be business transacted in India or British India;
 - (h) the language and currency in which returns required by this Act shall be furnished and the certification of translations of any such returns; and
 - (i) any other matter which is to be or may be prescribed.
- (5) Rules so made shall be published in the Gazette of India and, on such publication, shall have effect as if enacted in this Act.

Alteration of form.

56. The Governor General in Council may, on the application or with the consent of an insurance company, alter any form contained in the Schedules as respects that company, for the purpose of adapting it to the circumstances of that company.

Power to exempt companies.

57. The Governor General in Council may, by notification in the Gazette of India, and subject to such restrictions and conditions as he may specify in the notification, exempt any insurance company from all or any of the provisions of this Act or of any rules made thereunder.

Exemption from certain provisions of the Indian Companies Act.

58. Where an insurance company which is registered under the Indian Companies Act, 1913, or is an existing company as defined in that Act, in any year furnishes its accounts and balance-sheet in accordance with the provisions of section 28, the company may, at the same time, send to the Registrar a copy of such accounts and balance-sheet; and, where such copy is so sent, it shall not be necessary for the company to file a balance-sheet with the Registrar as required by sub-section (1) of section 134 of that Act, and the copy of the accounts and balance-sheet so sent shall be dealt with in all respects as if it were a balance-sheet filed in accordance with that section.

VII of 1913

Amendment of Act V of 1912.

59. For section 3 of the Provident Insurance Societies Act, 1912, the following section shall be substituted, namely:—

V of 1912.

Application of Act.

"3. Nothing in this Act shall apply to any Provident Insurance Society which pays or undertakes to pay on any policy an annuity exceeding fifty rupees or a gross sum exceeding five hundred rupees, or which receives or undertakes to receive by way of premium or contribution under any insurance policy any sum exceeding two hundred and fifty rupees where the said premiums or contributions are payable for one year or a limited number of years, or exceeding twenty-five rupees in any one year where the premiums or contributions are unlimited in number and terminable on death or the occurrence of an uncertain event:

of 1925.

Provided that, in determining whether this Act applies to any Provident Insurance Society, contracts entered into by the Society before the commencement of the Indian Insurance Companies Act, 1925, shall not be taken into consideration.

Explanation.—For the purposes of this section in its application to life insurance business, "policy" includes a series of policies on any one life."

Repeals

60. The Indian Life Assurance Companies Act, 1912, is hereby repealed.

VI of 1912.

THE FIRST SCHEDULE.

(See section 21.)

(A) FORM APPLICABLE TO LIFE INSURANCE BUSINESS.

Revenue Account of the for the year ending in respect
of life insurance business.

	Rs.		Rs.
Amount of life insurance fund at the beginning of the year		Claims under life insurance policies admitted or intimated :—	
Premiums		Sum assured	Bonus additions
Interest, dividends and rents		By death	
Less income-tax		By survivorship	
Other receipts (accounts to be specified)		Surrenders, including surrenders of bonus additions	
		Annuities	
		Commission	
		Expenses of management	
		Other payments (accounts to be specified)	
		Amount of life insurance fund at the end of the year, as per Third Schedule	
	Rs.		Rs.

NOTE.—Companies having separate funds for annuities or for different branches of life insurance business to return the particulars of their annuity business or of their business in each branch separately.

(B) FORM APPLICABLE TO WORKMEN'S COMPENSATION INSURANCE BUSINESS.

Revenue Account of the for the year ending in respect
of workmen's compensation insurance business transacted in British India.

	Rs.		Rs.
Amount of workmen's compensation insurance fund at the beginning of the year :—		Claims under policies :—	
Total estimated liability in respect of outstanding claims		Lump payments	
Reserve for unexpired risks		Half-monthly payments	
Additional reserve (if any)		Commission	
Premiums		Expenses of management	
Interest, dividends and rents		Other payments (accounts to be specified)	
Less income-tax		Amount of workmen's compensation insurance fund at the end of the year, as per Third Schedule :—	
Other receipts (accounts to be specified)		Total estimated liability in respect of outstanding claims	
		Reserve for unexpired risks	
		Additional reserve (if any)	
	Rs.		Rs.

(C) FORM APPLICABLE TO ACCIDENT INSURANCE BUSINESS.

Revenue Account of the for the year ending in respect
of accident insurance business.

	Rs.		Rs.
Amount of accident insurance fund at the beginning of the year :—		Claims under policies :—	
Total estimated liability in respect of outstanding claims		Sum insured ...	
Reserve for unexpired risks ...		Periodical allowances ...	
Additional reserve (if any) ...		Commission	
Premiums		Expenses of management	
Interest, dividends and rents ...		Other payments (accounts to be specified)	
Less income-tax ...		Amount of accident insurance fund at the end of the year, as per Third Schedule :—	
Other receipts (accounts to be specified) ...		Total estimated liability in respect of outstanding claims	
	Rs.	Reserve for unexpired risks...	
		Additional reserve (if any) ...	
			Rs.

(D) FORM APPLICABLE TO FIRE INSURANCE BUSINESS.

Revenue Account of the for the year ending in respect
of fire insurance business.

	Rs.		Rs.
Amount of fire insurance fund at the beginning of the year :—		Claims under policies ...	
Liability in respect of outstanding claims ...		Contributions to fire brigades ...	
Reserve for unexpired risks ...		Commission	
Additional reserve (if any) ...		Expenses of management	
Premiums		Other payments (accounts to be specified)	
Interest, dividends and rents ...		Amount of fire insurance fund at the end of the year, as per Third Schedule :—	
Less income-tax ...		Liability in respect of outstanding claims ...	
Other receipts (accounts to be specified) ...		Reserve for unexpired risks ...	
	Rs.	Additional reserve (if any) ...	
			Rs.

(K) FORM APPLICABLE TO MARINE INSURANCE BUSINESS.

Revenue Account of the.....for the year ending.....in respect
of marine insurance business.

	Rs.		Rs.
Amount of marine insurance fund at the beginning of the year —		Claims under policies	
Liability in respect of outstanding claims:		Commission	
• Reserves for unexpired risks		Expenses of management	
Additional reserve (if any)		Other payments (accounts to be specified)	
Premiums (after deduction of returns, brokerage and discount).		Amount of marine insurance fund at the end of the year, as per Third Schedule. —	
Interest, dividends and rents ...		Liability in respect of out standing claims.	
Less income tax ..		Reserve for unexpired risks	
Other receipts (accounts to be specified) ...		Additional reserve (if any)	
	Rs.		Rs.

THE SECOND SCHEDULE.

(See section 21.)

Profit and Loss Account of the for the year ending

	Rs.		Rs.
Balance of last year's account ...		Dividends and bonuses to shareholders, payable on.....19....., for the year ending.....19.....	
Interest, dividends and rents not carried to other accounts ...		Expenses not charged to other accounts...	
Less income tax ...		Loss sustained (accounts to be specified)	
Profits realized (accounts to be specified)		Other payments (accounts to be specified)	
Other receipts (accounts to be specified)		Balance as per Third Schedule ...	
	Rs.		Rs.

THE THIRD SCHEDULE.

(See section 21.)

Balance Sheet of the.....on the.....19.....

LIABILITIES.	Rs.	ASSETS.	Rs.
Shareholders' capital paid up (if any) ...		Investments :—	
Life insurance funds ^o ...		Deposit with the Controller of Currency (securities to be specified) ...	
Workmen's compensation insurance fund (Indian business) ...		Indian Government securities ...	
Workmen's compensation insurance fund (non-Indian business) ...		Indian Provincial Government securities ...	
Accident insurance fund ...		British Government securities ...	
Fire insurance fund ...		Colonial Government securities ...	
Marine insurance fund ...		Other Government securities (to be specified) ...	
Other insurance funds (if any) to be specified ...		Indian Municipal and Port Trust securities ...	
General reserve fund (if any) ...		Preference and guaranteed stocks and shares (to be specified) ...	
Profit and loss account ...		Debentures and debenture stock (to be specified) ...	
Investment depreciation reserve ...		Other securities (to be specified) ...	
Outstanding claims under life insurance policies† :—		House and landed property :—	
Admitted but not paid ...		Mortgages ...	
Intimated but not admitted ...		Loans to municipal and other public bodies ...	
Annuities due and unpaid† ...		Loans on stocks and shares ...	
Other sums owing by the company† (to be stated separately under each class of business.)		Loans on company's policies within their surrender values ...	
		Loans on personal security ...	
		Agent's balances ...	
		Outstanding premiums† ...	
		Outstanding interest, dividends and rents† ...	
		Interest accrued but not payable† ...	
		Bills receivable ...	
		Cash :—	
		On deposit ...	
		In hand and on current account ...	
		Other assets (to be specified) ...	
	Rs.		Rs.

^o Life companies having separate funds for annuities or for different branches of life insurance business to show amount thereof separately.

† These items are or have been included in the corresponding items in the First Schedule.

NOTE 1.—A balance sheet in the above form shall be rendered in respect of each separate fund for which separate investments are made.

NOTE 2.—Particulars must be given of all loans, except loans on policies within their surrender values, granted to any director or officer of the company or to any other company in which any of the said directors or officers may hold the position either of director or of officer.

THE FOURTH SCHEDULE.

(See section 25.)

STATEMENT respecting the VALUATION of the LIABILITIES under LIFE POLICIES of the _____, to be made and signed by the

ACTUARY.

(The answers should be numbered to accord with the numbers of the corresponding questions.)

1. The date up to which the valuation is made.
2. The general principles adopted in the valuation, and whether these principles were determined by the instrument constituting the company or by its regulations or bye-laws or how otherwise, and whether these principles have the approval of the Actuary.
3. The form in which the particulars of each policy under which there is a liability, either actual or contingent, have been furnished to the Actuary, and whether all the information and explanations have been furnished as required by him.
4. The method followed in the valuation of particular classes of assurances and annuities including a statement of the method by which the ages at entry and the ages at valuation have been arrived at.
5. The table or tables of mortality used in the valuation. The rate at each age of the mortality assumed and of the annuity value used in the valuation in cases where the tables employed are not published.
6. Whether the Actuary has made any investigation into the mortality experience of the company up to any date subsequent to the close of the previous valuation period, and whether the mortality experienced has been, on the whole, less or greater than that assumed in the valuation.
7. The rate or rates of interest assumed in the valuation.
8. The average rate of interest yielded by the assets, whether invested or uninvested, in each year during the period since the last investigation, after deduction of income-tax, calculated according to the following two formulae:—

$$R = \frac{2I}{E+F-1} ; \text{ and } S = \frac{2J}{G+H-J}$$

where R = average rate of interest, after deduction of income tax, yielded by the total assets,

S = average rate of interest, after deduction of income-tax, yielded by the assets constituting the life insurance fund,

I = amount of interest, dividends and rents, less income-tax, shown in the profit and loss and revenue accounts,

J = amount of interest, dividends and rents, less income-tax, shown in the life insurance revenue account,

E = amount of capital and insurance funds at the beginning of the year,

F = amount of capital and insurance funds at the end of the year,

G = amount of life insurance fund at the beginning of the year, and

H = amount of life insurance fund at the end of the year.

9. The method by which the net premiums have been arrived at together with a statement of the manner in which extra premiums have been dealt with.

10. The actual proportion of the annual premium income reserved as a provision for future expenses and profits, separately specified in respect of assurances with immediate profits, with deferred profits, and without profits and also in respect of all assurances. If the proportion be not uniform for all policies of the same class, state how the provision for future expenses and profits has been made.

11. The proportion of the premium income spent in payment of commission and other expenses in each year during the period since the last investigation, to be specified separately for new business and renewal business, on the assumption that the proportion of new premiums expended is (a) five times and (b) seven times that of renewals. For the purposes of this estimate, single premiums shall be excluded and a sum equal to five per cent. of their amount deducted from expenses for the cost of their introduction, and new premiums shall be taken to mean the premiums other than single premiums receivable in the twelve months after issue of the policies effected in the year of account.

12. The adjustments used in the valuation to allow for unequal incidence of the premium income, for premiums payable more often than once a year, for yearly payment of claims and for future expenses and profits in respect of limited payment and paid up policies.

13. Whether all negative values have been eliminated from the valuation, and whether steps have been taken to prevent the policy reserve values being not less than the minimum surrender values.

14. Whether the basis of valuation differs in any respect, and, if so, in what respect, from the valuation made on the last occasion.

15. The consolidated revenue account since the last valuation, or, if no previous valuation has been made, since the commencement of the business. (This return to be made in the form annexed. No return under this heading will be required where a statement under this Schedule is deposited annually.)

16. The liabilities under life policies at the date of the valuation showing the number of policies, the amount assured, and the amount of premiums payable annually under each class of policy, both with and without participation in profits, and also the net liabilities and assets of the company, with the amount of surplus or deficiency. (These returns to be made in the forms annexed.)

17. Specimen policy reserve values held or required to be held according to the methods adopted in the valuation as well as specimen minimum surrender values in respect of whole-life assurance policies for Rs. 1,000 with premiums payable throughout life effected at the respective ages of 20, 30, 40 and 50, and immediately on payment of the 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 15th and 20th annual premium; with similar specimen policy reserve values and specimen minimum surrender values in respect of whole-life assurance policies subject to premiums payable for 20 years and of endowment assurance policies maturing at age 55. (This return to be made in the form annexed.)

18. Where the valuation discloses a surplus and the surplus is distributed among the policy-holders and shareholders:—

(1) the principles upon which such distribution is made, and whether these principles were determined by the instrument constituting the company or by its regulations or bye-laws or how otherwise, and the number of years' premium to be paid before a bonus (a) is allotted, and (b) vests;

(2) the amount of surplus allocated—

(a) to the policy-holders with immediate participation, and the number and amount of the policies which participate;

(b) to the policy-holders with deferred participation, and the number and amount of the policies which participate;

(c) to the share-holders;

(d) to reserve funds, or other accounts;

(3) specimens of the bonuses to be allotted to whole-life assurance policies for Rs. 1,000 which have been in force for five years, ten years, and upwards at intervals of five years respectively. If the bonuses vary for different ages at entry, specimens are to be given for ages 20, 30, 40 and 50, respectively. Similar specimen bonuses in respect of endowment assurance policies, according to age at entry, original term of policy and duration, to be stated.

19. Where the valuation discloses a deficiency which is not covered by the paid-up capital—

the steps, if any, which can be taken by the company to meet the deficiency or whether the company should be wound up.

NOTE.—Separate statements to be furnished throughout in respect of each branch of life insurance business for which a separate fund is maintained, the basis of the division being stated. Where annuity certain, sinking fund or bond investment business is carried on, a separate statement signed by the actuary shall be furnished, showing the total number of policies valued, the total sums assured, and the total office yearly premiums, and also showing the total net liability in respect of such business and the basis on which such liability is calculated.

[FORM referred to in question No. 15 in Fourth Schedule.]

Consolidated Revenue Account of the _____ for _____ years
commencing _____ and ending _____

	Rs.		Rs.
Amount of life insurance fund at the beginning of the period ...		Claims under life insurance policies admitted or intimated:—	
Premiums ...		By death ...	
Interest, dividends and rents ...		By maturity ...	
• Less income tax ...		Surrenders ...	
Other receipts (accounts to be specified) ...		Annuities ...	
		Commission ...	
		Expenses of management ...	
		Other payments (accounts to be specified) ...	
		Amount of life insurance fund at the end of the period, as per Third Schedule ...	
	Rs.		Rs.

NOTE.—If any sum has been deducted from the expenses of management account and taken credit for in the balance sheet as an asset, the sum so deducted to be separately shown in the above statement.

[FORM referred to in question No. 16 in Fourth Schedule.]

SUMMARY and VALUATION of the POLICIES of the.....as at.....19..

Description of business.	Particulars of the policies for valuation.					Valuation.				
	Number of policies.	Sum insured.	Bonu additions.	Office yearly premiums.	Net yearly premium.	Value by the.....Table. interest.....per cent.				
						Sum insured.	Bonu additions.	Office yearly premiums.	Net yearly premium.	Net liability.
	1	2	3	4	5	6	7	8	9	10
ASSURANCES.										
<i>I.—With immediate participation in profits</i>										
For whole term of life										
Other classes (to be specified) ...										
<i>II.—With deferred participation in profits</i>										
For whole term of life										
Other classes (to be specified) ...										
Total assurances with profits.										
<i>III.—Without participation in profits.</i>										
For whole term of life										
Other classes (to be specified).										
Total assurances without profits.										
Total assurances ...										
Deduct.—Re-assurances (to be specified according to class in a separate statement).										
Net assurances ...										
Adjustments, if any (to be separately specified).										
ANNUITIES ON LIVES		Amount per annuity.								
Immediate ...										
Other classes (to be specified). ...										
Total of the results ...										

NOTE 1.—Items in this summary to be stated to the nearest rupee.

NOTE 2.—Separate returns and valuation results shall be furnished in respect of classes of policies valued by different tables of mortality, or at different rates of interest.

NOTE 3.—In cases also where separate valuations of any portion of the business are required under local laws in places outside British India, a summary statement shall be furnished in respect of the business so valued in each such place showing the total number of policies, the total sum insured and bonuses, the total office yearly premiums, and the total net liability on the basis as to mortality and interest adopted in each such place, with a statement as to each basis respectively.

[FORM referred to in question No. 16 in Fourth Schedule.]

VALUATION BALANCE SHEET of _____ as at _____ 19____

Dr.	Rs.	Cr.	Rs.
To net liability under life insurance and annuity transactions (as per summary statement) ...		By life insurance funds as per balance sheet under Third Schedule) ...	
To surplus, if any ...		By deficiency, if any ...	

NOTE 1.—Where the balance-sheet includes amongst the assets thereof any sums representing expenses of organisation or extension, or the purchase of business or good will, or bad debts, or the adverse balance of any revenue or profit and loss account, and the amount of the assets exclusive of such sums and after deducting debts due by the company other than debentures and loans is less than the amount of the life insurance fund, or as the case may be, of the several insurance funds as shown in that balance-sheet, the amount of the life insurance fund shown in the valuation balance-sheet shall be reduced by the amount of the deficiency, or, as the case may be, by a sum bearing such proportion to that deficiency as the amount of the life insurance fund shown in the first-mentioned balance-sheet bears to the aggregate amount of all the insurance funds so shown.

NOTE 2.—Where debentures have been issued or loans raised which are charged on any of the assets of the company in which the life insurance fund is invested there shall be inserted in the valuation balance-sheet a note giving the particulars of the charge and stating that the result shown by the valuation is subject to the liability under the charge.

[FORM referred to in question No. 17 in Fourth Schedule.]

SPECIMEN POLICY RESERVE VALUES AND MINIMUM SURRENDER VALUES
UNDER A.....POLICY FOR RS. 1,000.

Number of premiums paid.	Age at entry 20.		Age at entry 30.		Age at entry 40.		Age at entry 50.	
	Reserve value.	Minimum surrender value.	Reserve value.	Minimum surrender value.	Reserve value.	Minimum surrender value.	Reserve value.	Minimum surrender value.
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
15								
20								

NOTE.—Items in this form to be stated to the nearest rupee.

THE FIFTH SCHEDULE.*[See section 25 (4).]**Particulars of Life Policies of the on the 19 , to be signed by the Actuary.*

(The answers should be numbered to accord with the numbers of the corresponding questions. Statements of re-assurances corresponding to the statements in respect of assurances are to be given throughout). Separate statements are to be furnished in the replies to all the headings under this Schedule in respect of each section of the business for which a separate Summary and Valuation is given in Fourth Schedule. Answers to questions 2 to 9 to be stated to the nearest rupee.

1. The published table or tables of premiums for assurances for the whole term of life and for endowment assurances which are in use at the date above-mentioned.

2. The total amount assured on lives for the whole term of life which are in existence at the date above-mentioned, distinguishing the portions assured with immediate profits, with deferred profits, and without profits, stating separately the total reversionary bonuses and specifying the sums assured for each year of life from the youngest to the oldest ages, the basis of division as to immediate and deferred profits being stated.

3. The amount of premiums receivable annually for each year of life, after deducting the abatements made by the application of bonuses in respect of the respective assurances mentioned under Heading No. 2, distinguishing ordinary from extra premiums. A separate statement is to be given of premiums payable for a limited number of years, classified according to the number of years' payments remaining to be made.

4. The total amount assured under endowment assurances, specifying sums assured and office premiums separately in respect of each year in which such assurances will mature for payment. The reversionary bonuses must also be separately specified, and the sums assured with immediate profits, with deferred profits, and without profits separately returned.

5. The total amount assured under classes of assurance business, other than assurances dealt with under questions 2 and 4, distinguishing the sums assured under each class and stating separately the amount assured with immediate profits, with deferred profits, and without profits, and the total amount of reversionary bonuses.

6. The amount of premiums receivable annually in respect of each such special class of assurances mentioned under Heading No. 5, distinguishing ordinary from extra premiums.

7. The total amount of premiums which has been received from the commencement upon pure endowment policies which are in force at the date above mentioned.

8. The total amount of immediate annuities on lives, distinguishing the amounts for each year of life, and distinguishing male and female lives.

9. The amount of all annuities on lives other than those specified under Heading No. 8, distinguishing the amount of annuities payable under each class, and the amount of premiums annually receivable.

THE SIXTH SCHEDULE.*(See section 51.)***1.—RULES FOR VALUING POLICIES IN CASE OF WINDING UP.****(A) AS RESPECTS LIFE POLICIES.***Rule for valuing an annuity.*

An annuity shall be valued according to the tables used by the company which granted such annuity at the time of granting the same, and, where such tables cannot be ascertained or adopted to the satisfaction of the Court, then according to such rate of interest and table of mortality as the Court may direct.

Rule for valuing a policy.

The value of the policy is to be the difference between the present value of the reversion in the sum assured according to the contingency upon which it is payable, including any bonus or addition thereto made before the commencement of the winding up, and the present value of the future annual premiums.

In calculating such present values interest is to be assumed at such rate, and the rate of mortality according to such tables, as the Court may direct.

The premium to be calculated is to be such premium as according to the paid rate of interest and rate of mortality is sufficient to provide for the risk incurred by the office in issuing the policy, exclusive of any addition thereto for office expenses and other charges.

(B) AS RESPECTS WORKMEN'S COMPENSATION POLICIES.

Rule for valuing a half-monthly payment.

The present value of a half-monthly payment shall be valued according to the tables used by the company which granted such half-monthly payment at the time of granting the same, and, where such tables cannot be ascertained or adopted to the satisfaction of the Court, then according to such rate of interest and table of mortality as the Court may direct.

Rule for valuing a policy.

The value of a current policy shall be such portion of the last premium paid as is proportionate to the unexpired portion of the period in respect of which the premium was paid, together with, in the case of a policy under which any half-monthly payment is payable, the present value of that half-monthly payment.

(C) AS RESPECTS ACCIDENT'S POLICIES.

Rule for valuing a periodical payment.

The present value of a periodical payment shall be valued according to the tables used by the company which granted such weekly payment at the time of granting the same, and, where such tables cannot be ascertained or adopted to the satisfaction of the Court then according to such rate of interest and table of mortality as the Court may direct.

Rule for valuing a policy.

The value of a current policy shall be such portion of the last premium paid as is proportionate to the unexpired portion of the period in respect of which the premium was paid.

(D) AS RESPECTS FIRE AND OTHER POLICIES.

Rule for valuing a policy.

The value of a current policy shall be such portion of the last premium paid as is proportionate to the unexpired portion of the period in respect of which the premium was paid.

THE SEVENTH SCHEDULE.

(See section 27.)

(A) FORM OF STATEMENT OF NEW LIFE INSURANCE BUSINESS.

New life assurances and annuities effected in India by the.....
during the year ending.....

Class of policy.	Number of policies.	*Sums assured.	*Single premiums.	*Annual premiums
		Rs.	Rs.	Rs.
Whole-life assurances				
Endowment assurances				
Other classes (to be specified)				
Total				
		* Amount per annum.		
* Immediate annuities				
(Other annuities (to be specified)				

* Exclusive of re-assurances.

A separate statement in the above form shall be furnished in respect of new life assurances and annuities effected out of India.

STATEMENT OF OBJECTS AND REASONS.

The object of this Bill is to provide for the Regulation of Insurance Companies operating in India.

There are two Acts at present in force in India relating to Insurance Companies. One is the Indian Life Assurance Companies Act VI of 1912, and the other is the Provident Insurance Societies Act V of 1912. It is considered that the law should regulate all forms of insurance business carried on in India. It is proposed, therefore, to repeal Act VI of 1912 and to replace it by this Bill. As will be seen from the definition of "Insurance Company" in clause 2 (i), the Bill will apply to every Company which carries on, or intends to carry on, any class of insurance business in British India, either directly or indirectly through an Agent. Companies registered under the Provident Insurance Societies Act, have been excluded from the scope of the Bill, but it is proposed to amend section 3 of this Act with the object of imposing the same limits as are at present prescribed in the case of life assurance business on every kind of insurance business carried on by Provident Insurance Societies.

In framing the Bill, it has been provisionally decided to continue the policy of the Indian Life Assurance Companies Act VI of 1912, and to rely for the protection of the public mainly on a policy of allowing no Insurance Company to carry on business in India, unless and until it has paid a deposit to Government. These deposits should prevent the establishment of mushroom Companies. In addition, it is proposed to insist on the fullest measure of publicity in regard to the working of each Company, in order that the public may judge for themselves whether it is worked on sound and prudent lines. It is also proposed to tighten the control of Government over Insurance Companies in some respects.

C. A. INNES.

SIMLA :

The 16th June, 1925.

NOTES ON CLAUSES.

Clause 2 (f).—The definition of 'dividing society' is taken from the existing rules issued under the Indian Life Assurance Companies Act, VI of 1912. Under clause 55 (2) (c) power is taken to prescribe by rule the additional statements of business to be prepared by such societies and the manner in which such statements shall be furnished to the Governor General in Council.

Clause 2 (r).—The definition of "workmen's compensation insurance business" contains no reference to the issue of, or the undertaking of liabilities under, policies. It is provisionally thought necessary to bring within the scope of the Act associations of employers which, without issuing policies or undertaking liabilities under policies of insurance, carry on such business for the mutual insurance of their members. Such associations may be excused from making deposits under clause 12, and may be exempted from other provisions of the Bill under clause 57.

Clause 9.—It is thought that the practice which it is proposed to prohibit is objectionable and should not be allowed.

Clause 10.—It is proposed that every Insurance Company carrying on, or intending to carry on, business in British India should make a deposit of Government securities, and that the exemption from this obligation hitherto allowed by sections 32 and 33 of Act VI of 1912 to Assurance Companies carrying on life assurance business in the United Kingdom should be withdrawn. The main purpose of the deposit is to prevent the growth of mushroom companies. On the other hand, it is not intended to prevent the establishment of new and sound companies. The amount of the deposits has been fixed with reference to these two considerations.

Clause 11.—It is proposed that Life Insurance Companies constituted in British India should be allowed to make the deposit in five annual instalments. The concession is based on the provisions of section 4 of Act VI of 1912. It is not considered necessary that the same concession should be allowed to Companies carrying on other kinds of insurance business.

Clause 12.—Power is taken to exempt mutual societies, with or without conditions, from the obligation to make deposits. There are a number of Indian Mutual Companies which could not, without great hardship, make deposits.

Clause 13.—The object of the clause is to protect deposits from attachment under any judgment obtained by a creditor of the Company. It is believed that deposits under the English Act of 1909 are not liable to attachment.

Clauses 18 and 19.—These clauses deal with the question of separate accounts and funds for each class of insurance business carried on by a Company. Separate funds and accounts are made obligatory in respect of life insurance business and workmen's compensation insurance business transacted in India. But joint accounts can be allowed in the case of other kinds of insurance business. The proposals are in accordance with English law on the subject.

Clause 22.—Sub-clauses (1) and (2) repeat foot-notes (2) and (3) to Form A in the First Schedule to Act VI of 1912. Sub-clause (3) prescribes the supply of information which will be a valuable index to growth of the insurance habit in India.

Clause 23 (1).—In the case of accident insurance business and workmen's compensation insurance business, where an outstanding claim frequently takes the form of a periodical payment extending over a long period, it is important that full particulars of such claims and the liability estimated in respect thereof should be appended to the Revenue Account. The form of statement will be prescribed by rules under the Act. For similar statements, compare Forms C and D in the Fourth Schedule to the English Assurance Companies Act, 1909.

Clause 23 (2).—Leading Fire Insurance Companies usually make it a rule that the reserve for unexpired risks should not be less than 40 per cent. of the premium income of the year. The practice is a wholesome one, and this clause is designed to encourage it.

Clauses 24 (1) and (2).—These two clauses are modelled on foot-note 2 to the form of balance sheet in the Third Schedule of Act VI of 1912. It is considered important, for the protection of the public, that investments should be properly valued in the balance sheet.

Clause 24 (3).—This clause is taken from foot-note 3 to the form of balance sheet in the First Schedule of Act VI of 1912.

Clause 24 (4).—Compare section 18 (1) of the English Industrial Assurance Act of 1923. In regard to Life Insurance Companies in India, the practice enjoined by this clause is already obligatory under rule 14 of the rules issued under Act VI of 1912.

Clause 24 (5).—This clause is modelled on rule 8 (c) of the rules issued under Act VI of 1912.

Clause 24 (6).—Under Act VI of 1912, Life Assurance Companies have to submit this information in a separate statement to be submitted along with their Revenue Account.

See also clause 29 (b).

Clause 24 (7).—See foot-note 1 to the form of balance sheet in the Third Schedule of Act VI of 1912.

Clause 25.—See section 8 of Act VI of 1912. Sub-clause (3) corresponds to rule 5 of the rules issued under the above Act.

Clause 29.—The forms prescribed in the Schedule to the Bill are modelled on those prescribed by the English Assurance Companies Act of 1909. It is sufficient, therefore, that Companies constituted outside British India, to which the above Act applies, should submit copies of the returns which they are required to send to the Board of Trade. See section 33 of Act VI of 1912. But additional statements relating to the business of the Company in India are prescribed.

Clause 29 (d) prescribes that a company carrying on workmen's compensation insurance business in British India must submit a revenue account in respect of such business. Compare Form D in the first schedule to the English Assurance Companies Act, 1909.

Clause 30.—Sub-clause (1) is taken from section 11 (c) of Act VI of 1912. Sub-clauses (2) and (3) are modelled on section 16 of Industrial Assurance Act, 1923.

Clause 31 (1).—The provisions of section 37 (1) of Act VI of 1912 have not been repeated in the Bill. No use has ever been made of these provisions. The clause is modelled on section 37 (ii).

Clause 32.—This clause is new and represents an important departure. It enables Government to deal with a Life Insurance Company whose returns show it to be on the verge of insolvency. Under section 22 (b) of Act VI of 1912, which is repeated in clause 48 (c) of this Bill, the Governor-General in Council may apply to the court to have a Company, which appears to him to be insolvent, wound up. But there may be cases in which strong actuarial advice may restore an unsound Company to a strong and flourishing condition, and it is proposed by this clause to give the Governor-General in Council power to require a Life Insurance Company, in cases where there is reason to doubt its ability to fulfil its contracts, to submit its affairs to actuarial examination.

Clause 39.—The forms in which Insurance Companies have to submit their returns to the Governor-General in Council have been carefully drawn up in order that these returns may contain essential information. It is a necessary safeguard that this information should also be made available to the public.

Clause 41.—The procedure in regard to amalgamation has been slightly simplified. Compare section 20 of Act VI of 1912.

Clause 47.—See section 34 of Act VI of 1912. The clause makes it plain that the default shall be a ground on which any shareholder or policyholder may apply, at the

expense of the Company, for a winding order. Section 34 of Act VI of 1912 does not say who is to approach the court for a winding up order.

Clause 54.—See section 26 of Act VI of 1912.

Clause 55 (5) (f).—This matter is dealt with by rule 15 of the rules issued under Act VI of 1912. In order to prevent abuses, it is considered necessary for the Governor-General in Council to have power to prescribe the extent to which the premiums referred to in the clause may be treated as assets.

Clause 57.—Taken from section 41 of Act VI of 1912.

Clause 59.—The effect of section 3 of the Provident Insurance Societies Act, 1905, is to limit the extent to which such societies might carry on life insurance business. The amendment proposed is designed to limit the extent to which Provident Insurance Societies may carry on any kind of insurance business.

Notes on the Schedules.

Forms A, B, C and D are based on the corresponding forms of the English Act of 1909.

Form A in the draft does not follow the form in the English Act by requiring the following items to be shown separately for business within and out of the United Kingdom.

Premiums,
Consideration for annuities,
Claims by death,
Claims by maturity,
Surrenders,

Annuities,
Bonuses in cash,
bonuses in reduction of premium,
Commission.

By the provisions of clauses 22 (3) and 29 (a), however, the Indian premium income must be stated separately not only for life insurance but for all classes of insurance business. As the consideration for immediate annuities can be ascertained from the returns under the new 5th Schedule it is not considered necessary to have a separate entry for that item as in the English Act.

Notes 1 and 2 to form A in the English Act are covered by the foot-note to form A in the draft Bill. Note 3 is covered by the provisions of clause 22 (1). Note 4 by clauses 22 (2) and 24 (5). Note 5 by clause 27. Note 6 by clause 55 (2) (g).

In Form D of the 1st Schedule to the draft Bill the amount of the outstanding claims is included in the life insurance fund instead of being shown separately in the balance sheet as in the English Act.

In the form of balance sheet shown in the 3rd Schedule claims under life insurance policies have been split up into claims admitted but not paid and claims intimated but not admitted. On the assets side of the balance sheet loans and mortgages are included under the general heading of investments. The heads under which many of the other investments have to be entered have been re-arranged to suit the conditions of Indian companies.

Note 1 to the form of balance sheet in the English Act is dealt with in clause 24 (7) of the draft Bill. Note 2 by the foot-note to the form of balance-sheet in the draft Bill. Note 3 by clauses 24 (1) and 24 (2). Note 4 by clause 20 and the Rule to be framed under clause 55 (2) (h).

The draft 4th Schedule contains under questions 8 and 17 items which under the English Act are dealt with under headings 10 and 11 of the 5th Schedule to that Act. It also includes several items previously dealt with by the Rules issued under the Indian Life Assurance Act of 1912.

The principal changes compared with the English Act are under draft questions Nos. 6, 8, 11, 13, 14, 17 and 19. Also in the foot-notes to the two forms referred to in question No. 16. The forms corresponding to forms C and D of the 4th Schedule to the English Act are provided for in draft clause 23 (1).

No reference has been made in the Bill to bond investment business as it is not intended to treat such business as insurance business. There are in Madras Presidency a very large number of persons or associations known as Nidhis who transact bond investment business on a small scale and in such a way that it would not be feasible to bring it under the operation of this Act.

The 6th Schedule in the Bill corresponds to the 6th Schedule of the English Act.

The draft 7th Schedule corresponds to statement D of the Indian Life Assurance Act of 1912.

The 7th Schedule of the English Act is covered by clause 53 of the draft Bill.

No schedule has been prepared corresponding to the 8th Schedule to the English Act.



THURSDAY, SEPTEMBER 17, 1925.

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PART I.

Orders and Notifications by the Governor of Bengal, the Government of Bengal, the High Court, Government Treasury, etc.

ORDERED BY HIS EXCELLENCY THE GOVERNOR OF BENGAL.

**Four Programme of
HIS EXCELLENCY THE GOVERNOR OF BENGAL
during September 1935.**

His Excellency the Governor of Bengal will leave Darjeeling on the morning of the 22nd September and arrive at Kalimpong the same afternoon. He will again leave Kalimpong on the morning of the 25th September and arrive at Darjeeling the same afternoon.

* * The party accompanying His Excellency will be—

The Countess of Lytton.

Lady Hermione Silver-Lytton.

Mr. H. B. Wilkinson, I.O.O., Private Secretary.

Captain J. W. W. Osipov. Aide-de-Camp.

The Secretary's arrivals at and departure from all places will be private. All communications intended to reach the Secretary and party during his tour should be addressed to Governor's Camp Bengal, and not the address of any other place.

I. Background Information - Continued

Secretary, Department of the Interior, Washington, D.C.

GOVERNMENT HOUSE, DANKERLIEN, No 3-5 September 1944.

ORDERS BY THE GOVERNMENT OF BENGAL.

No. 11053A.

APPOINTMENTS AND TRANSFERS.

GENERAL.—No. 1081A.D.—*The 5th September 1925.*—Khan Bahadur Nusruddin Ahmad, Deputy Magistrate and Deputy Collector, and Sadar Sub-divisional Officer, Pabna, is appointed to act as Magistrate and Collector of that district, during the absence, on leave, of Rai Kumud Bandhu Das Gupta Bahadur, or until further orders.

Nadia.—No. 10817A.—*The 7th September 1925.*—Babu Shankar Nath Sen, Deputy Magistrate and Deputy Collector, Nadia, is appointed temporarily to have charge of the Sadar subdivision of that district.

Noakhali. Howrah.—No. 10045A.—*The 10th September 1925.*—Babu Suresh Chandra Ghosh, Sub-Deputy Collector, on probation, Noakhali, is transferred to the headquarters station of the Howrah district.

Jaipalguri.—No. 10653A.—*The 10th September 1925.*—Mr. Alfred Bose, Deputy Magistrate and Deputy Collector, Jaipalguri, is appointed to act as Deputy Commissioner of that district, during the absence, on leave, of Mr. W. H. Nelson, I.C.S., or until further orders.

Khulna. Rangpur.—No. 10815A.—*The 11th September 1925.*—The Sub-Deputy Collectors, on probation, named below, are posted to the headquarters stations of the districts mentioned opposite their names :—

Babu Birendra Nath Maitra	...	...	...	Khulna.
„ Jogesh Chandra Sinha	...	...	...	Rangpur.

Noakhali.—No. 10837A.—*The 12th September 1925.*—Babu Sarada Nanda Das, Deputy Magistrate and Deputy Collector, Noakhali, is appointed to act as Magistrate and Collector of that district, during the absence, on leave, of Mr. O. M. Martin, I.C.S., or until further orders.

Presidency Divn.—No. 10853A.—*The 14th September 1925.*—Babu Atul Kumar Ghosh, Sub-Deputy Collector, on leave, is posted to the Presidency Division.

CONFIRMATION.

POLICE.—No. 10831A.—*The 12th September 1925.*—Mr. T. C. Simpson, officiating Inspector-General of Police, Bengal, is confirmed in that appointment, with effect from the 11th September 1925, vice Mr. R. B. Hyde, retired.

LEAVE.

GENERAL.—No. 10228A.D.—*The 5th September 1925.*—Rai Kumud Bandhu Das Gupta Bahadur, officiating Magistrate and Collector, Pabna, is allowed leave on average pay for twenty-two days, under article 81 (b) (ii) of the Fundamental Rules, with effect from the 3rd October 1925.

Bakarganj.—No. 10603A.—*The 9th September 1925.*—Babu Madhusudan Mandal, Sub-Deputy Collector, Pirojpur, Bakarganj, is allowed leave on average pay for two months, under rule 81 (b) (ii) of the Fundamental Rules, with effect from the 3rd October 1925.

No. 10920A.—*The 9th September 1925.*—Babu Shailesh Nath Mukharji, Sub-Deputy Collector, is allowed leave on average pay for six weeks, under rule 81 (b) (ii) of the Fundamental Rules, in extension of the leave granted to him under the orders of the 25th June 1925.

Jaipalguri.—No. 10630A.—*The 10th September 1925.*—Mr. W. H. Nelson, I.C.S., Deputy Commissioner, Jaipalguri, is allowed leave on average pay for thirteen days, under article 81 (b) (i) of the Fundamental Rules, with effect from the 3rd October 1925.

Noakhali.—No. 10534A.—*The 12th September 1925.*—Mr. O. M. Martin, officiating Magistrate and Collector, Noakhali, is allowed leave on average pay for thirteen days, under article 81 (b) (i) of the Fundamental Rules, with effect from the 3rd October 1925.

No. 10849A.—The 14th September 1925.—Mr. Norman Bose, Sub-Deputy Collector, Barrackpore, 24-Pargannas, is allowed leave for four months, viz., leave on average pay for three months and nine days and on half average pay for the remaining period, under rules 81 (b) (ii) and 81 (d) of the Fundamental Rules, with effect from the 5th October 1925 or any subsequent date on which he may avail himself of it.

No. 10851A.—The 14th September 1925.—Maulvi Talimuddin Ahmad Tariqui Alam, Deputy Magistrate and Deputy Collector, Basirhat, 24-Pargannas, is allowed leave for one year with effect from the 1st August 1925, viz., leave on average pay for eight months under the proviso to rule 81 (b) (ii) of the Fundamental Rules and leave on half average pay for the remaining period under rule 81 (d) of these rules.

No. 10857A.—The 14th September 1925.—Babu Charu Chandra Gupta, Deputy Magistrate and Deputy Collector, Nadia, is allowed leave on average pay from the 24th August 1925 to the 19th September 1925 inclusive, under rule 81 (b) (ii) of the Fundamental Rules.

POLICE.—No. 10524A.—The 7th September 1925.—In modification of the orders of the 26th August 1925, Mr. L. N. Bavin, officiating Principal, Police Training College, Sardah, Rajshahi, is allowed leave on average pay for one month, under article 81 (b) (i) of the Fundamental Rules, with effect from the 22nd July 1925.

No. 10530A.—The 7th September 1925.—Mr. Sukumar Sen Gupta, Superintendent of Police, Nadia, is allowed leave for one year, viz., leave on average pay for eight months, under rule 81 (b) (i) of the Fundamental Rules, with effect from the 3rd October 1925, or any subsequent date on which he may avail himself of it, and leave on half average pay for the remaining period under rule 81 (d) of those rules.

No. 10848A.—The 12th September 1925.—Mr. J. S. Hannah, Deputy Commissioner of Police, Calcutta, is allowed leave on average pay for one month, under rule 81 (b) (i) of the Fundamental Rules, with effect from the 3rd October 1925.

L. BIRLEY,

Chief Secretary to the Government of Bengal.

NOTIFICATIONS.

No. 10395A.—The 3rd September 1925.—In exercise of the power conferred by section 9 of the Indian Christian Marriage Act, 1872 (XV of 1872), the Governor in Council is pleased to grant a license to Babu Sahadeb Chandra Roy, Pastor of the Baptist Church at Chunkuri in the district of Khulna, authorising him to grant certificates of marriages between native Christians.

No. 10390A.—The 3rd September 1925.—In exercise of the power conferred by section 9 of the Indian Christian Marriage Act, 1872 (XV of 1872), the Governor in Council is pleased to grant a license to Babu Dwijabar Biswas, Pastor of the Baptist Church at Schalabunia in the district of Khulna, authorising him to grant certificates of marriages between native Christians.

No. 10626A.—The 9th September 1925.—Mr. Nirmal Shankar Sen, Deputy Magistrate and Deputy Collector, Darjeeling, having passed the first examination in the Tibetan language in accordance with the rules laid down in Appendix VI of the Rules for the Departmental Examination of Assistant Magistrates and others, dated the 14th September 1912, is authorised to draw the prescribed reward of Rs. 500.

No. 10630A.—The 9th September 1925.—Mr. Kulada Charan Das Gupta, I.C.S., Assistant Magistrate, Murshidabad, having passed an examination in the Santhali language in accordance with the rules laid down in Appendix VI of the Rules for the Departmental Examination of Assistant Magistrates and others, dated the 14th September 1912, is authorised to draw the prescribed reward of Rs. 1,000.

No. 10634A.—The 9th September 1925.—Babu Basanta Kumar Das, Deputy Magistrate and Deputy Collector, Jalpaiguri, having passed an examination in the Santhali language in accordance with the rules laid down in Appendix VI of the Rules for the Departmental Examination of Assistant Magistrates and others, dated the 14th September 1912, is authorised to draw the prescribed reward of Rs. 1,000.

L. BIRLEY,

Chief Secretary to the Government of Bengal.

POLITICAL DEPARTMENT.

NOTIFICATION.

No. 9195P.—*The 11th September 1925.*—Notification No. 2443P., dated the 2nd March 1925, published at page 378, Part I of the *Calcutta Gazette*, dated the 12th March 1925, declaring the Jahan Kosha Gun at Topkhana near Murshidabad in the Murshidabad district to be a protected monument within the meaning of the Ancient Monuments Preservation Act (Act VII of 1904), is confirmed under section 3 (3) of the said Act.

L. BIRLEY,

Chief Secretary to the Government of Bengal.

POLICE DEPARTMENT.

NOTIFICATION.

No. 3479Pl.—*The 12th September 1925.*—In notification No. 2998Pl., dated the 12th August 1925, laying down the revised jurisdiction of Sripur police-station in the district of Jessore, published at page 1346 in Part I of the *Calcutta Gazette* of the 27th August 1925, insert the following as the heading of the column showing the jurisdiction list number, in so far as they apply to village Jaynagar and other villages named after it in the notification :—

"General jurisdiction list number of thana Magura."

L. BIRLEY,

Chief Secretary to the Government of Bengal.

JUDICIAL DEPARTMENT.

No. 11054A.

POWERS.

No. 10520A.—*The 7th September 1925.*—Babu Girish Chandra Das, Deputy Magistrate, Dacca, is vested with the power to try summarily the offences mentioned in section 26(b) of the Code of Criminal Procedure.

No. 10558A.—*The 8th September 1925.*—Babu Dharendra Kumar Ghosh, Deputy Magistrate, Pirojpur, Bakarganj, is vested with powers under sections 110 and 190 (1) (c) of the Code of Criminal Procedure.

No. 10623A.—*The 9th September 1925.*—Babu Basanta Kumar Banarji, Deputy Magistrate, on probation, Tippera, is vested with the powers of a Magistrate of the second class.

L. BIRLEY,

Chief Secretary to the Government of Bengal

APPOINTMENTS AND TRANSFERS.

No. 7269J.—*The 10th September 1925.*—Lala Jogesh Chandra, officiating munsif of Chittagong, is appointed to act, until further orders, as a munsif in the district of Noakhali, to be ordinarily stationed at Hatiya.

No. 7210J.—*The 10th September 1925.*—Babu Gyanda Sankar Gupta, officiating munsif of Patuakhali, now employed at Bhola, in the district of Bakarganj, is appointed to act, until further orders, as a munsif in the district of Chittagong, to be ordinarily stationed at the Sadar station.

No. 7211J.—The 10th September 1925.—Babu Eshori Lal Chatarji, officiating munsif of Firozpur, in the district of Bakarganj, is appointed to act, until further orders, as a munsif in the district of Mymensingh, to be ordinarily stationed at the Sadar station.

Bakarganj.
Mymensingh.

No. 7212J.—The 10th September 1925.—Babu Satyendra Nath Palit, officiating munsif of Dinajpur, is appointed to act, until further orders, as a munsif in the district of Khulna, to be ordinarily stationed at the Sadar station, *vice* Babu Manmatha Chandra Basu.

Dinajpur.
Khulna.

No. 7213J.—The 10th September 1925.—Babu Khagesh Chandra Mitra, officiating munsif of Amta, in the district of Hooghly, is appointed to act, until further orders, as an additional munsif in the district of Mymensingh, for the present to be employed at Iswarganj.

Hooghly.
Mymensingh.

No. 7214J.—The 10th September 1925.—Babu Sudhansu Chandra Ghosh, officiating munsif of Sudharam, in the district of Noakhali, is appointed to act, until further orders, as a munsif in the district of Mymensingh, to be ordinarily stationed at Tangail, *vice* Babu Charu Chandra Basu (No. 11), to be deputed to the Settlement Department.

Noakhali.
Mymensingh.

No. 7215J.—The 10th September 1925.—Babu Harendra Krishna Mukharji, officiating munsif of Alipore, in the district of the 24-Parganas, is appointed to act as a munsif in the district of Hooghly, to be ordinarily stationed at Amta, during the absence, on leave, of Babu Upendra Kumar Kar, or until further orders.

24-Parganas.
Hooghly.

No. 7216J.—The 10th September 1925.—Babu Anulya Kumar Bhattacharji, officiating munsif of Hatiya, in the district of Noakhali, is appointed to act as a munsif in the district of Chittagong, to be ordinarily stationed at Satkania, but for the present to be employed at Paliya, *vice* Babu Pratul Chandra Ray, appointed temporarily to be munsif of Pabna, in the district of Pabna and Bogra.

Noakhali.
Chittagong.

No. 7217J.—The 10th September 1925.—Babu Atul Bihari Mallik, officiating munsif of Sirajganj, in the district of Pabna and Bogra, is appointed to be a munsif in the district of Burdwan, to be ordinarily stationed at Kalna, during the absence, on leave, of Babu Srish Kumar Som, or until further orders.

Pabna.
Bogra.
Burdwan.

No. 7127J.—The 7th September 1925.—In exercise of the power conferred by section 14 of the Code of Criminal Procedure, 1898 (Act V of 1898), the Governor in Council is pleased to confer upon Lieutenant-Colonel A. T. Walker the powers of a Magistrate of the first class, in the district of Midnapore, for a period of three years from the date of this notification.

Midnapore.

No. 7141J.—The 8th September 1925.—In exercise of the powers conferred by sections 14 and 15 and the proviso to section 357 of the Code of Criminal Procedure, 1898 (Act V of 1898), the Governor in Council is pleased—

- (a) to confer upon Babu Sachindra Nath Ray the powers of a Magistrate of the second class, in the district of Murshidabad, for a period of three years from the date of this notification, in respect to such cases as may be made over to him within the limits of the Jangipur subdivision of the said district,
- (b) to direct that he shall, in addition to sitting singly, sit as a member of the Dhulian Bench in the said district, and
- (c) to direct him to take down evidence in the English language.

Babu Sachindra Nath Ray is also vested, under section 190 (1) (a) and (b) of the Code of Criminal Procedure, with powers to take cognizance of cases under the municipal by-laws and of cases under section 34 of Act V of 1861.

No. 7159J.—The 9th September 1925.—In supersession of the orders of the 20th August 1925, Babu Ramapati Ghosh, munsif of Tangail, in the district of Mymensingh, is appointed to be a munsif in the district of Jessore, to be ordinarily stationed at Narail.

Mymensingh.
Jessore.

No. 7236J.—The 10th September 1925.—Babu Pratul Chandra Ray, munsif of Bogra, in the district of Pabna and Bogra, who is under orders of transfer to Paliya, in the district of Chittagong, is appointed temporarily to be a munsif in the district of Pabna and Bogra, to be ordinarily stationed at Pabna, during the absence, on leave, of Babu Sarat Chandra Das.

Pabna and Bogra.
Chittagong.

No. 7239J.—*The 10th September 1925.*—Babu Aswini Kumar Das Gupta, Subordinate Judge of Mymensingh, is appointed to be Subordinate Judge of Nadia.

No. 7242J.—*The 10th September 1925.*—Maalvi Usman Ali, Subordinate Judge of Nadia, is appointed to be Subordinate Judge of the 24-Parganas.

No. 7245J.—*The 10th September 1925.*—Babu Ashutosh Pal, Subordinate Judge of the 24-Parganas, is appointed to be Small Cause Court Judge of Sealdah, in the district of the 24-Parganas, *vice* Babu Jitendra Prasad Chatterji, due to retire, with effect from the 5th November 1925. He is vested with the powers of a Subordinate Judge.

No. 7247J.—*The 10th September 1925.*—Babu Manmatha Chandrá Basu, munsif, officiating Subordinate Judge, Dacca, who is under orders of transfer to Khulna (Sadar) as a munsif, is appointed to act, until further orders, as Subordinate Judge, Mymensingh.

No. 7251J.—*The 11th September 1925.*—Babu Nana Bihari Ghosh, officiating Subordinate Judge, Dacca, who is under orders of transfer to Comilla, in the district of Tippera, as a munsif, is appointed to act as Subordinate Judge, Dacca, during the absence, on leave, of Mr. Mati Lal Ray or until further orders.

No. 7254J.—*The 11th September 1925.*—Babu Jitendra Prasad Sen, officiating munsif of South Raiganj, in the district of Chittagong, is appointed to act as a munsif in the district of Tippera, to be ordinarily stationed at Comilla, *vice* Babu Nana Bihari Ghosh.

No. 7259J.—*The 11th September 1925.*—Babu Anulya Gopal Chatterji, officiating additional munsif at Barwanj, in the district of Mymensingh, is appointed to act as a munsif in the district of Bakarganj, to be ordinarily stationed at Pirojpur, during the absence, on leave, of Babu Nana Gopal Mukharji N. H. munsif, under orders of transfer to that station, or until further orders.

No. 7273J.—*The 14th September 1925.*—In exercise of the powers conferred by sections 14 and 15 and the proviso to section 357 of the Code of Criminal Procedure, 1898 (Act V of 1898), the Governor in Council is pleased:—

(a) to confer upon Babu Dharendra Nath Ray Chaudhuri the powers of a Magistrate of the third class, in the district of Bakarganj, for a period of three years from the 9th October 1925.

(b) to direct him to sit as a member of the Nalchiti Bench in the said district, and

(c) to direct him to take down evidence in the English language.

He is also vested under section 190 (1) (a) and (b) of the Code of Criminal Procedure with powers to take cognizance of cases under section 34 of Act V of 1861, under the Begnal Municipal Act, 1884, and under the Municipal By-laws occurring within the limits of Nalchiti Municipality.

LEAVE.

No. 7224J.—*The 20th August 1925.*—Babu Banku Bihari Chatterji, munsif of Lalbagh, in the district of Murshidabad, is allowed leave for eleven days, *viz.*, leave on average pay for eight days under articles 81 (b) (ii) and 82 (b) of the Fundamental Rules, and leave on half average pay for the remaining period under article 81 (d) of those Rules, with effect from the 19th August 1925.

No. 7225J.—*The 20th August 1925.*—Babu Nikunja Bihari Banarji, munsif of Sherpur, in the district of Mymensingh, is allowed leave on average pay for one day, under articles 81 (b) (ii) and 82 (b) of the Fundamental Rules, in extension of the leave granted to him under the orders of the 29th July 1925.

No. 7226J.—*The 20th August 1925.*—Babu Nagendra Nath Basu, munsif of Goalundo, in the district of Faridpur, is allowed leave on average pay for ten days, under article 81 (b) (ii) of the Fundamental Rules, with effect from the 2nd September 1925.

No. 7227J.—The 29th August 1925.—Babu Rehati Mohan Goswami, munsif of Kurigaon, in the district of Rangpur, is allowed privilege leave on half pay for four days, under article 271 of the Civil Service Regulations, with effect from the 28th October 1925.

No. 7228J.—The 2nd September 1925.—Babu Jogindra Kumar De, munsif of Raiganj, in the district of Dinajpur, is allowed leave on average pay, on medical certificate, from the 24th August to the 16th September 1925, under the proviso to article 81 (b) (ii) of the Fundamental Rules and is permitted to affix to the leave the civil court vacation of 1925, under article 81 (d) of those rules.

No. 7229J.—The 3rd September 1925.—Babu Baku Lal Biswas, munsif of Chuadanga, in the district of Nadia, who is under orders of transfer to Bhola, in the district of Bakarganj, is allowed leave on average pay, on medical certificate, for four months, under the proviso to article 81 (b) (ii) of the Fundamental rules, with effect from the 12th August 1925.

No. 7278J.—The 7th September 1925.—Babu Tribhuaneswar Ray, munsif of Barisal, in the district of Bakarganj, who is under orders of transfer to Kishoreganj in the district of Mymensingh, is allowed leave on half average pay from the 20th October to the 23rd December 1925 (both days inclusive), under article 81 (d) of the Fundamental Rules, and is permitted to prefix thereto the civil court vacation of 1925 under article 82 (d) of those rules.

No. 7279J.—The 8th September 1925.—Babu Srish Kumar Som, munsif of Comilla, in the district of Tippera, who is under orders of transfer to Jamalpur, in the district of Mymensingh, is allowed leave on average pay on medical certificate from the 20th October to the 23rd December 1925 (both days inclusive), under the proviso to article 81 (b) (ii) of the Fundamental Rules, and is permitted to prefix thereto the civil court vacation of 1925 under article 82 (d) of those rules.

H. C. LIDDELL,

Secretary to the Government of Bengal.

NOTIFICATIONS.

No. 7175J.—The 9th September 1925.—In exercise of the powers conferred by clause (b) of section 27 of the Court-fees Act, 1870 (VII of 1870), and in supersession of the existing orders on the subject, the Governor in Council is pleased to make the following rules to regulate the use of adhesive and impressed Court-fee stamps in Bengal, in consequence of the abolition of impressed Court-fee stamps in respect of fees up to Rs. 25, namely :—

1. In cases where the amount of fees is less than Rs. 25 and such amount can be denoted by a single adhesive stamp, such fee shall be collected by a single adhesive stamp of the required value. But if the amount cannot be denoted by a single adhesive stamp, or if a single adhesive stamp of the required value is not available, an adhesive stamp of the next lower value available shall be used, and the deficiency shall be made up by the use of one or more additional adhesive stamps of the next lower values which may be required to make up the exact amount of the fee.

In cases where the amount of fees is equal to or exceeds Rs. 25 and such amount can be denoted by a single impressed stamp, the fee shall be collected by a single impressed stamp of the required value. But if the amount cannot be denoted by a single impressed stamp, or if a single impressed stamp of the required value is not available, an impressed stamp of the next lower value available shall be used, and the deficiency shall be made up by the use of one or more additional impressed stamps of the next lower values available, which may be required to make up the exact amount of the fee, in combination with adhesive stamps to make up fractions of less than Rs. 25.

2. Finance Department notification, dated the 26th June 1883, is hereby cancelled.

No. 7231J.—The 10th September 1925.—In exercise of the power conferred by section 65 of the Bengal Village Self-Government Act, 1919 (Bengal Act V of 1919), the Governor in Council is pleased to appoint the following members of the union boards mentioned below, during their term of office as such members, to be union benches within the jurisdiction of the union boards of which they are, respectively, members for the purposes of that section.

2. This notification will take effect from the date of the first meeting of the reconstituted union boards at which a quorum is present :—

Names of members of the union boards to constitute union benches in the Manikganj subdivision, district Dacca.

Chandahar union board.

Babu Madhusudan Bose.
 „ Praphulla Chandra Roy.
 Munshi Rahimuddin Sarkar.
 Babu Hari Ananda Saha.

Azimnagar union board.

Maulvi Aminuddin Ahmad.
 Babu Narendra Nath Bhadra.
 Maulvi Syed Mozzam Hossain.
 Babu Purna Chandra Chakrabatti.

Boraid union board.

Munshi Eshaque Khan Majlish.
 Babu Ramesh Lal Bose.
 Maulvi Abdul Rezaque Khan Majlish.

No. 7234J.—*The 16th September 1925.*—In exercise of the power conferred by section 73 of the Bengal Village Self-Government Act, 1919 (Bengal Act V of 1919), the Governor in Council is pleased to appoint the following members of the union boards mentioned below, during their term of office as such members, to be union courts within the jurisdiction of the union boards of which they are, respectively, members for the purposes of that section.

2. This notification will take effect from the date of the first meeting of the reconstituted union boards at which a quorum is present :—

Names of members of the union boards to constitute union courts in the Manikganj subdivision, district Dacca.

Chandahar union board.

Babu Madhusudan Bose.
 „ Praphulla Chandra Roy.
 Munshi Rahimuddin Sarkar.
 Babu Hari Ananda Saha.

Azimnagar union board.

Maulvi Aminuddin Ahmad.
 Babu Narendra Nath Bhadra.
 Maulvi Syed Mozzam Hossain.
 Babu Purna Chandra Chakrabatti.

Boraid union board.

Munshi Eshaque Khan Majlish.
 Babu Ramesh Lal Bose.
 Maulvi Abdul Rezaque Khan Majlish.

H. C. LIDDELL,

Secretary to the Government of Bengal.

LOCAL SELF-GOVERNMENT DEPARTMENT.

NOTIFICATIONS.

No. 2212M.—*The 11th September 1925.*—In exercise of the power conferred by clause (a) of section 59 of the Bengal Municipal Act, 1884 (Bengal Act III of 1884), the Governor in Council is pleased to approve the resolution passed by the Commissioners of the Dacca Municipality, under section 23 of that Act, electing Mr. K. Nazimuddin, M.A. (CANTAB.), Bar-at-Law, to be Chairman of that municipality.

No. 2820 M.—The 5th September 1925.—The following draft of a notification, which the Governor in Council intends to issue in exercise of the power conferred by clause (a) of section 2 of the Calcutta Hackney-carriage Act, 1919 (Bengal Act I of 1919), is published as required by the second proviso to that section, for the information of persons likely to be affected thereby.

2. The draft will be taken into consideration on the 25th November 1925, and any objection or suggestion with regard thereto, which may be received by the undersigned from any ratepayer or inhabitant of the Dinajpur Municipality before that date, will be duly considered:—

Draft notification.

In exercise of the power conferred by clause (a) of section 2 of the Calcutta Hackney-carriage Act, 1919 (Bengal Act I of 1919), the Governor in Council is pleased to extend to the Dinajpur Municipality all the provisions of the said Act except sub-section (1) of section 6 and section 7.

No. 2870 M.—The 5th September 1925.—The following draft of by-laws, which the Governor of Bengal proposes to make for the Dinajpur Municipality, in exercise of the power conferred by sub-section (1) of section 71 of the Calcutta Hackney-carriage Act, 1919 (Bengal Act I of 1919), is published for the information of persons likely to be affected thereby.

2. The draft will be taken into consideration on the 25th November 1925, and any objection or suggestion received by the undersigned before that date through the District Magistrate will be duly considered:—

Draft by-laws under section 71 (f) of the Calcutta Hackney-carriage Act, 1919 (Bengal Act I of 1919), for the Dinajpur Municipality.

Appointment and duties of the Registering Officer.

1. Every hackney-carriage in the Dinajpur Municipality shall be annually registered by a Registering Officer to be appointed for the purpose by the Municipal Commissioners at a meeting. The Registering Officer shall keep a register in which he shall enter the class and number assigned to every hackney-carriage.

Qualifications of drivers.

2. Every person applying for a driver's license shall be required to satisfy the Registering Officer:—

- (a) that he knows how to drive and control horses and is in all respects a fit person for such employment,
- (b) that he is well acquainted with the principal streets, offices and places of interest in and around Dinajpur,
- (c) that he has a thorough knowledge of the list of fares and tables of distances prepared by the Commissioners of the Dinajpur Municipality,
- (d) that he knows the rules of the roads and the signals used by drivers and by the traffic police, and
- (e) that the age of the driver shall not be less than 18 years.

3. Licenses for hackney-carriage drivers and bearers of palanquins and rickshaws will be in different forms. There shall be attached to each license in such manner as the Commissioners of the Municipality prescribe—

- (i) the thumb-mark of the driver, and
- (ii) table of fares and distances to be prepared and printed under the authority of the Commissioners of the Dinajpur Municipality, and
- (iii) a book prescribed by the Commissioners to be presented and delivered to the passengers or police or municipal officers on demand for record of remarks.

This book and the table of fares shall be supplied at the scheduled rate of fees.

3A. Every driver of a hackney-carriage must carry a whistle with him which must be blown at every sharp corner or bend of roads and must stop his carriage when so ordered by officers of municipality or police.

4. Every driver of a hackney-carriage or bearer of a palanquin or a rickshaw shall carry with him and produce, when called upon to do so by any Police officer or by his fare or by the Chairman, Vice-Chairman or License-Inspector of the municipality, his license with his thumb impression and table of fares and distances and the book for record of remarks.

5. No hackney-carriage driver shall drive with his feet in any other position than on the foot board of the vehicle nor shall he muffle up his face and head in such a manner as might endanger the proper driving of his vehicle.

6. No hackney-carriage driver shall be allowed to drive any licensed hackney-carriage or carriages other than those specified on his license without the permission of the Registering Officer.

7. The uniform of drivers and attendants shall be clean and the drivers and attendants of 1st, 2nd and 3rd class hackney-carriages and tumtums (ekkas) shall wear a coat.

Description of horses, carriages, plantains and rickshaws.

8. No horse shall be used to draw a hackney-carriage unless it has been passed by the Registering Officer and no horse shall be passed unless it is—

- (a) not less than 14 hands high if intended to be used in a pair in a 1st class hackney-carriage,
- (b) not less than 14.2 hands high if intended to be used singly in a 1st class hackney-carriage,
- (c) not less than 13 hands high if intended to be used in a pair in a 2nd class hackney-carriage,
- (d) not less than 14 hands high if intended to be used singly in a 2nd class hackney-carriage,
- (e) not less than 12 hands high if intended to be used in a pair in a 3rd class hackney-carriage or singly in a tumtum or ekka,
- (f) not less than 13.2 hands high if intended to be used singly in a 3rd class hackney-carriage,
- (g) thoroughly broken to harness,
- (h) free from infectious and contagious disease,
- (i) sufficiently sound and strong for constant hard work.

9. The harness shall be black in colour, of a decent appearance, strong and in good repair; rope or iron chain traces may be used, provided they be covered with leather. No string fastenings will be allowed.

10. First class hackney-carriages shall conform to the following dimensions and be of a pattern fixed by the Commissioners of the municipality :—

	Ft.	In.
Width of seats ...	3	4
Breadth of front seat ...	1	4
" of rear seat ...	1	6
Height of seat from floor without cushions ...	1	2
" of back rest of hind seat ...	2	4
The thickness of cushions ...	0	3
Height of back rest of front seat ...	1	4
Width between seats ...	1	10
Height of floor of body from ground ...	1	8
" of step from ground ...	0	10
Diameter of front wheels ...	2	8
" of back wheels ...	3	6
Height of hood from hind seat board to top of hood inside ...	3	10

Provided that hackney-carriages registered before the issue of these by-laws are exempted from conforming to these by-laws.

The wheels shall be rubber-tyred, strong and sound so as to run true and without rattling or shaking. The springs and axles shall be in a perfect order and all iron-work must be strongly put together.

The lining and cushions shall be clean and in good condition and the inside of the carriages perfectly clean.

The hood and apron shall be made of strong leather and shall be so fitted as to make the carriage water-tight.

The body, wheels and shafts of the carriage shall be painted dark green with plain yellow or gold lining; the hood and apron shall be painted black.

The doors shall close well and shall not rattle.

All iron-work shall be painted black. Each carriage must have a good pair of lamps and each lamp shall have a red glass window in the back and shall be so placed that the light from the window shall be visible from a point ten yards in rear of the centre of the vehicle.

11. *Second class hackney-carriages (phalan type).*—The same measurements as those prescribed for 1st class hackney-carriages but of lighter make: Provided that hackney-carriages registered before the issue of these by-laws may, at the discretion of, and on such conditions as may be fixed by, the Commissioners at a meeting, be exempted from conforming to these dimensions.

The wheels shall be strong and sound so as to run true and without rattling or shaking.

The spring and axles shall be in perfect order and all iron-work must be strongly put together.

The lining and cushions shall be clean and in good condition and the inside of the carriage perfectly clean.

The hood and apron shall be made of strong leather and shall be so fitted as to make the carriage water-tight.

The body, wheels and shafts of the carriage shall be painted dark blue with plain red lining.

The hood and apron shall be painted black.

The doors shall close well and shall not rattle.

All iron-work shall be painted black.

Each carriage must have a good pair of lamps. Each lamp shall have a red glass window in the back and shall be so placed that the light from the window is visible from a point ten yards in rear of the centre of the vehicle.

12. Second class hackney-carriages ("bund-gharry" or "Brownberry" type) shall conform to the following dimensions and be of a pattern fixed by the Commissioners of the municipality :—

						Ft.	In.
Width of seats	...	...	...	...	...	3	4
Breadth of seats	...	...	...	...	...	1	6
Height of seats from floor without cushions	...	...	...	...	...	1	2
Thickness of cushions	...	...	...	...	...	0	3
Height of roof from seat without cushions	...	...	...	...	...	3	10
Width between seats	...	...	...	...	...	1	6
Height of bottom of well from ground	...	...	...	...	...	1	8
" of step from ground	...	...	...	...	...	0	10
Diameter of front wheels	...	...	...	...	...	2	6
" of back wheels	...	...	...	...	...	3	6

Provided that hackney-carriages registered before the issue of these by-laws may, at the discretion of, and on such conditions as may be fixed by, the Commissioners at a meeting, be exempted from conforming to these by-laws.

The wheels shall be rubber-tyred, strong and sound, so as to run true and without rattling or shaking.

The springs and axles shall be in perfect order.

The lining and cushions shall be clean and in good condition and the inside of the carriage perfectly clean.

The doors shall close well.

The windows, venetians and blinds shall not rattle but shall work easily and shall have proper catches to raise and lower them. The steps shall be in proper order.

The roof shall be water-tight.

The body, wheels and shafts of the carriage shall be painted dark blue with thin red lining.

All iron-work shall be painted black.

Each carriage must have a good pair of lamps. Each lamp shall have a red glass window in the back and shall be so placed that the light from the window is visible from a point ten yards in rear of the centre of the vehicle.

The seats and back shall be provided with clean linen covers.

13. Third class hackney-carriages shall conform to the following dimensions and be of a pattern fixed by the Commissioners of the municipality :—

						Ft.	In.
Width of seats	...	...	...	...	...	3	0
Breadth of seats	...	...	...	...	...	1	6
Height of seats from floor without cushions	...	...	...	...	...	1	2
Thickness of cushions	...	...	...	...	...	0	2
Height of roof from seats without cushions	...	...	...	...	...	3	6
Width between seats	...	...	...	...	...	1	6
Height of bottom of well from ground	...	...	...	...	...	1	8
" of step from ground	...	...	...	...	...	0	10
Diameter of front wheels	...	...	...	...	...	2	6
" of back wheels	...	...	...	...	...	3	6

Provided that hackney-carriages registered before the issue of these by-laws may, at the discretion of, and on such conditions as may be fixed by, the Commissioners at a meeting, be exempted from conforming to these dimensions.

The wheels shall be iron-tyred, strong and sound, so as to run true and without rattling or shaking.

The springs and axles shall be in perfect order.

The lining and cushions shall be clean and in good condition and the inside of the carriage perfectly clean.

The doors shall close well.

The windows, venetians and blinds shall not rattle but shall work easily and shall have proper catches to raise and lower them.

The steps shall be in order.

The roof shall be water-tight.

The body, wheels and shafts of the carriage shall be painted chocolate with plain yellow lining. All iron-work shall be painted black.

Each carriage must have a good pair of lamps. Each lamp shall have a red glass window in the back and shall be so placed that the light from the window is visible from a point ten yards in rear of the centre of the vehicle.

13A. Fourth class hackney-carriages, i.e. tum-tums (ekkas) shall conform to the following dimensions and be of a pattern fixed by the Commissioners of the municipality:—

					Pt.	In.
Width of seats	...	...	...	...	3	6
Breadth of seats	...	...	...	...	3	9
Thickness of cushions	...	...	...	...	0	3
Height of steps from ground	...	...	...	...	1	6
Diameter of wheels	...	...	...	...	3	6

Provided that tum-tums registered before the issue of these by-laws may, at the discretion of, and on such conditions as may be fixed by, the Commissioners at a meeting, be exempted from conforming to these dimensions.

The wheels shall be iron-tyred, strong and sound, so as to run true and without rattling and shaking.

The springs and axles shall be in perfect order.

The shafts and steps shall be in good order.

The cushions shall be clean and must have a clean khaki sheet as covering or any darri.

The body, wheels and shafts, etc., shall be painted decently with a cheap paint. Each tum-tum must have one good lamp on its right side having a red glass window in the back and shall be so placed that the light from the window is visible from a point ten yards in rear of the centre of the vehicle.

14. There shall be one class of rickshaw of a pattern fixed by the Commissioners of the municipality.

The body of the rickshaw shall be sound and clean and all the boards strong and properly secured.

The wheels shall be rubber-tyred, strong and sound, so as to run true and without rattling and shaking and shall be protected by properly fitted splash boards.

The springs and axles shall be made of good metal, strong and properly rivetted and free from rust.

The iron supports at the back shall be properly curved and securely fixed at each side, strong and of sound metal and free from rust.

The shafts shall be of sound wood, strong, securely fixed and furnished at the fore-ends with the ring shaped metal supports and connected by a collision guard.

The hood, apron and cushions shall be made of and covered with good cloth, canvas or other material approved of by the Commissioners. The hood and apron shall be so fitted as to make the vehicle water-tight.

The body, wheels and shafts of all rickshaws shall be painted dark blue with thin red lining. All iron-work shall be painted black.

Every rickshaw must have a good pair of lamps. Each lamp shall have a red glass window in the back and shall be so placed that the light from the window is visible from a point ten yards in rear of the centre of the vehicle.

15. There shall be one class of palanquins of a pattern fixed by the Commissioners of the municipality.

The body of the palanquin shall be sound and clean, properly secured. The doors shall close well, work easily and shall not rattle, and shall have proper catches to open and shut them.

The body and pole shall be painted dark blue with thin red lining. All iron-work shall be painted black.

Every palanquin must have a good pair of lamps. Each lamp shall have a red glass window in the back and shall be so placed that the light from the window is visible from a point ten yards in rear of the centre of the vehicle.

Identification of horses.

16. Every horse passed by the "Registering Officer" may be branded on both fore-ends in the following manner:—

(1) The registered number as shown in the "Register of horse" on the off forehoof.

(2) The year of registration on the near forehoof.

17. It shall be compulsory for the owner to produce the horse when taking out license before the Registering Officer at the end of every three months to be rebranded without being sent for.

18. Licenses for horses will be in different forms according to the class in which they are registered.

Classes of hackney-carriages, palanquins and rickshaws.

19. Hackney-carriages shall be of four classes including tumtum and of patterns fixed by the Commissioners of the municipality and of the dimensions and colours prescribed by by-laws Nos. 10 to 14.

20. There shall be one class of rickshaws and of palanquins of a pattern fixed by the Commissioners of the municipality and of the pattern and colours prescribed by by-laws Nos. 15 and 16.

21. Every licensed hackney-carriage, palanquin or rickshaw shall be distinctly marked on its panels and tumtums on the right side and on the inside with the registered number and the number of the class to which it belongs, the figures to be not less than six inches in length, the colour of which shall be changed every year.

22. The lamps of every licensed hackney-carriage, palanquin or rickshaw shall have the registered number painted on them, the figures to be not less than one inch in length, the colour of which shall be changed every year.

Fees.

23. A fee shall be paid to the Commissioners of the Danajpur Municipality in accordance with the following scale for the issue, transfer or renewal of licences, etc. :—

	Hackney-carriage.			Tumtum.	Rickshaw.	Palanquin.	Horse.
	1st class.	2nd class.	3rd class.				
	Rs. A.	Rs. A.	Rs. A.	Rs. A.	Rs. A.	Rs. A.	Rs. A.
Owner's license	4 0	3 0	2 0	2 0	1 0	0 8	2 0
Driver's	2 0	2 0	2 0	2 0	...	...	...
Duplicate license plate	0 8	0 8	0 8	0 8	0 8	0 8	...
Transfer of owner's license	3 0	2 0	1 0	0 12	1 0	1 0	2 0
Duplicate owner's license	2 0	1 8	1 0	0 12	0 8	0 4	1 0
" driver's license	1 0	1 0	1 0	1 0	...	...	...
" " ticket	0 8	0 8	0 8	0 8	...	...	...
Bearer's license	...	...	...	...	0 4	0 4	...
Renewal of bearer's license	...	...	...	...	0 2	0 2	...
Duplicate of bearer's license	...	...	...	...	0 2	0 2	...
Fare-book and table of distances	1 0	1 0	1 0	1 0	1 0	1 0	...
Fare plate	2 0	2 0	2 0	2 0	2 0	2 0	...
Duplicate fare plate	2 0	2 0	2 0	2 0	2 0	2 0	...
Certified copy of particulars of register and license	0 8	0 8	0 8	0 8	0 8	0 8	0 8
Alteration in register	0 8	0 8	0 8	0 8	0 8	0 8	0 8

Rates and fares.

24. Fares shall be paid according to distance or time or according to the consolidated hire as per table below in the case of time and distance at the option of the hirer or fare to be expressed at the commencement of the hiring, but in the case of consolidated hire as per table, if not otherwise expressed, the fare to be paid according to time.

There will be no option with the hirer and the rate of distance or time will not apply.

(1) Rates and fares to be paid for hackney-carriages.

Description of carriage.	Fare by distance.		Fare by time.
	For any distance within and not exceeding one mile.	For any distance exceeding one mile.	
	As Rs.		Rs. A.
First class ...	8 0	At the rate of 6 annas for every mile and for any part of a mile over and above any number of miles completed.	Minimum fare for short distances not exceeding 15 minutes ... 0 8 For half-an-hour ... 1 0 „ one hour ... 1 8 „ subsequent hours ... 1 0 Half day of 5 hours ... 4 0 Whole day of 9 hours ... 7 0
Second class ...	6 0	At the rate of 4 annas for every mile and for any part of a mile over and above any number of miles completed.	Pheton type— Minimum fare for short distances not exceeding 15 minutes ... 0 6 For half-an-hour ... 0 12 „ one hour ... 1 0 „ subsequent hours ... 0 8 Half day of 5 hours ... 2 0 Whole day of 9 hours ... 4 8 Bund for Brownbury type— For half-an-hour ... 0 6 „ one hour ... 1 0 „ subsequent hours ... 0 6 „ half day of 5 hours ... 2 8 „ whole day of 9 hours ... 4 0
Third class ...	3 0	At the rate of 2 annas for every mile and for any part of a mile over and above any number of miles completed.	For half-an-hour ... 0 4 „ one hour ... 0 8 „ subsequent hours ... 0 4
Taxi ...	2 6	At the rate of 1 anna and 6 pies for every mile and for any part of a mile over and above any number of miles completed.	For half-an-hour ... 0 4 „ one hour ... 0 8 „ subsequent hours ... 0 4

(3) Rates and fares to be paid for palanquins.

Fare by distance.		Fare by time.			
For any distance within and not exceeding one mile.	For any distance exceeding one mile.	For any time within and not exceeding one hour.	For every hour or part of an hour beyond one hour.	For half a day of five hours.	For a whole day consisting of nine hours.
3 annas ...	At the rate of 3 annas for every mile and for any part of a mile over and above number of miles completed.	6 annas ...	3 annas ...	1 rupee ...	1 rupee and 8 annas.

(4) Rates and fares to be paid for rickshaws.

Fare by distance.		Fare by time.	
For any distance within and not exceeding one mile.	For any distance exceeding one mile.	For any time within and not exceeding one hour.	For every hour or part of an hour beyond one hour.
3 annas ...	At the rate of 3 annas for every mile and for any part of any mile over and above number of miles completed.	6 annas ..	3 annas.

Passengers and luggage.

25. No hackney-carriage shall carry more than four adult persons altogether in addition to the driver and attendant.

26. (1) No rickshaw shall carry more than two adult passengers.

(2) No palanquin shall be allowed to carry more than two adult passengers.

For the purpose of this by-law two children under 12 years of age shall be reckoned as one adult.

27. The driver of every hackney-carriage shall carry in or upon such carriage a quantity of luggage not exceeding two maunds together with one additional maund for every person below four carried in the carriage without any charge over and above the fare.

A charge not exceeding two annas may be levied for every ten seers or part thereof in excess of the above free allowance.

28. No baggage shall be carried on any rickshaws except a small box or hand bag (not exceeding 24 x 15 x 9 inches).

Inspection of hackney-carriages, palanquins and rickshaws.

29. It shall be lawful for any Health Officer or Sanitary Inspector of the municipality or any person authorised by the Chairman at any time between sunrise and sunset to enter any premises on which any licensed hackney-carriage, palanquin or rickshaw or the horses or other animals, harness or other things used therewith are kept, in order to carry out any provision of this Act or these by-laws and the owner, occupier or his agent shall afford every facility for such officers' inspection.

Protection of weak and lame horses.

30. It shall be lawful for the Registering Officer at any time to cause any animal used in a hackney-carriage to be produced before him for the purpose of inspection and it shall be compulsory upon the owner to produce any such animal within 24 hours after the receipt of such notice.

31. The owner of any animal declared under section 30 to be unfit for use in a hackney-carriage shall, if he disposes of it, or removes it from the premises on which it is stabled, give notice of the fact to the Registering Officer within one week of such disposal or removal intimating at the same time the name and address of the person to whom he has disposed of it and the place to which it has been removed.

32. Notice of the death of a registered horse shall also be given to the Registering Officer who, on receipt of such notice, shall cause the entry concerned to be cancelled in the "Register of horses" and the certificate of registration to be withdrawn.

Regulation of use of horses.

33. No owner shall permit any horse to work continuously in any hackney-carriage in excess of the following scale of time:—

Class of carriage.	Maximum period allowed to be worked.	Period of rest.
First, second and third, if drawn by two horses ...	10 hours ...	14 hours.
First, second, third and fourth, by one horse ...	8 hours ...	16 hours.

34. The following particulars shall be entered in a register to be kept by every owner for the purposes of by-law No. 33:—

Date.	Registered number and class of carriage.	Number of horses used to draw the carriage together with descriptions.	Hour of leaving stable.	Hour of return to stable.	Name of driver and attendants.	Signature of owner.	Signature and rank of inspecting officer.
1	2	3	4	5	6	7	8

Publication of list of fares and distances.

35. The list of fares prepared by the Commissioners of the municipality with reference to the scale of rates laid down by by-law No. 24 and tables of distances shall be published in such manner as the Commissioners shall deem proper.

36. The Commissioners of the municipality shall cause to be prepared and kept for sale to the public printed tables setting forth these fares and distances.

Advertisements on hackney-carriage, palanquin or rickshaw.

37. No printed, written or other matter shall appear on the inside or outside of any hackney-carriage, palanquin or rickshaw by way of advertisement, without the permission from the Registering Officer. Such permission, if granted, may be subject to such conditions as the Registering Officer may impose.

Registers and licenses.

38. The following particulars shall be entered in the registers and licenses under this Act:—

(1) Hackney-carriage license.**(Particulars of license).**

1. The class and the number assigned to the carriage in the register.
2. The name, father's name and residence of the owner, the description of the carriage and the place where the carriage is kept.
3. The number and description of horses to be employed in drawing such carriage.
4. The number of passengers the carriage is licensed to carry.
5. The date on which the license was granted.
6. That the carriage shall ply for hire at any of the public stands in the town and suburbs of Dinajpur and not at any other place.
7. Signature of Registering Officer.

(2) Register of hackney-carriages.

1. The class and number assigned to the carriage in the register.
2. Certificate numbers.
3. Date on which license was granted.
4. Owner's and his father's names.
5. Place of residence.
6. Stable locality.
7. House number.
8. Driver's and his father's name.
9. Place of residence.
10. Period of suspension or cancellation.
11. Date of renewal.
12. Duplicate ticket.

13. Duplicate license.
14. Date of conviction.
15. Section of law.
16. Punishment inflicted.
17. Date of offence.
18. Offence.
19. Ownership transferred to.
20. Date of transfer.
21. Signature of Registering Officer.
22. Remarks.

(3) *Horse register.*

1. Serial number.
2. Class of hackney-carriage in which horse is to be used.
3. To be used singly or in pair
4. Owner's and his father's names
5. Owner's address
6. Branded number assigned to horse, in register, if any.
7. Place where it is intended to keep the horse
8. Date on which license was granted
9. Ownership transferred to
10. Date of transfer.
11. Date on which horse was re-branded
12. Date of notice issued to owner
13. Date of disposal of notice
14. Signature of Registering Officer
15. Remarks

(4) *Hackney-carriage driver's license*

1. The number of the license, the name, father's name, place of abode and age of the person to whom such license is granted.
2. The date on which the license was granted
3. The class and number of the hackney-carriage he is allowed to drive.
4. Date of expiry of license.
5. A summary of the more important statutory provisions and by-laws affecting drivers of hackney-carriages
6. Signature of the Registering Officer.

(5) *Rickshaw bearer's license*

1. The number of license
2. The name and father's name, place of abode and age of the person to whom such license is granted
3. The date on which the license was granted
4. The number of rickshaws he is allowed to draw
5. Date of expiry of license
6. A summary of the more important statutory provisions and by laws affecting bearers of rickshaws
7. Signature of the Registering Officer

(6) *Rickshaw-owner's license*

1. The number assigned to the rickshaw in the register
2. The name, father's name and residence of the owner, the description of the rickshaw, and the place where the rickshaw is kept
3. The number of passengers the rickshaw is licensed to carry
4. The date on which the license was granted
5. Date of expiry of license
6. That the rickshaw shall ply for hire at any of the public stands in the town and suburbs of Dinajpur and not at any other place
7. Signature of the Registering Officer

(7) *Register of rickshaws*

1. The number assigned to the rickshaw in the register
2. Fee certificate number
3. Date on which license was granted
4. Owner's and his father's names.
5. Place of residence.
6. Place where the rickshaw is kept.
7. Horse numbers.
8. Bearer's and his father's names.
9. Place of residence.

10. Period of suspension or cancellation.
11. Date of renewal.
12. Duplicate license.
13. Duplicate ticket.
14. Date of conviction.
15. Section of law.
16. Punishment inflicted.
17. Date of offence.
18. Offence.
19. Ownership transferred to.
20. The number of persons the rickshaw is licensed to carry.
21. Date of transfer.
22. Signature of Registering Officer.
23. Remarks.

(8) *Register of palanquins.*

1. The number assigned to the palanquin in the register.
2. Date on which license was granted.
3. Owner's and his father's name.
4. Place of residence.
5. Place where the palanquin is to be kept.
6. House numbers.
7. Bearer's and his father's name.
8. Place of residence.
9. Period of suspension or cancellation.
10. Date of renewal.
11. Duplicate license.
12. Duplicate ticket.
13. Date of conviction.
14. Section of law.
15. Punishment inflicted.
16. Date of offence.
17. Offence.
18. Ownership transferred.
19. Date of transfer.
20. The number of persons the palanquin is licensed to carry.
21. Signature of Registering Officer.
22. Remarks.

(9) *Palanquin-owner's license.*

1. The number assigned to the palanquin in the register.
2. The name, father's name and residence of the owner, the description of the palanquin and the place where the palanquin is to be kept.
3. The number of passengers the palanquin is licensed to carry.
4. The date on which the license was granted.
5. Date of expiry of license.
6. That the palanquin shall ply for hire at any of the public stands in the town and suburbs of Dinajpur and not at any other place.
7. Signature of the Registering Officer.

(10) *Palanquin-bearer's license.*

1. The number of license.
2. The name and father's name, place of abode and the age of the person to whom such license is granted.
3. The date on which the license was granted.
4. Date of expiry of license.
5. The number of the palanquin he is allowed to carry.
6. A summary of the more important statutory provision and by-laws affecting bearers of palanquin.
7. Signature of the Registering Officer.

(11) *Horse license.*

1. The class of hackney-carriage with which the horse is to be used and whether it is to be used singly or in pair.
2. The name and father's name of the owner; residence of the owner.
3. The number assigned to the horse in the register.
4. The place where it is intended to keep the horse.
5. The date on which the license was granted.
6. The date on which the license expires.
7. Signature of the Registering officer.

No. 2026M.—The 14th September 1925.—The following proposed plan for lighting portions of the Uttarpara Municipality with electricity, which has been submitted by the Commissioners of that municipality to the Governor in Council for sanction under section 306, read with section 319 of the Bengal Municipal Act, 1884 (Bengal Act III of 1884), is published for the information of persons likely to be affected thereby.

The proposed plan will be taken into consideration on the 16th December 1925, and any objection or suggestion which may be received by the undersigned, through the District Magistrate, will be duly considered :—

Proposed plan.

1. The portion of the municipality which it is proposed to light immediately with electricity, together with the number of lamps to be installed, are shown below :—

Name and portion of the street, road or lane to be lighted (together with all holdings on either side).

Number of lamps to be installed.
25 C. P. 50 C. P.

Ward No. I.

Portion of Charakdanga Street from its junction with Bijoy Kissen Street up to its junction with Ram Sita Ghat Street of Bhadrakali 2
Bijoy Kissen Street 8
Eden Road 4
Dring Road 2
Panchanantalla Street 2
Rajkissen Street 5
Grand Trunk Road 3

Ward No. II.

Raja Peary Mohan Road 6
Joykissen Street 6
Joykissen Ghat Street 2
Muushipara Lane 2
Talpukur Street 4
Grand Trunk Road 5

Ward No. III.

Banerjipark Street 5
Mondol Street 9
Grand Trunk Road 3

Ward No. IV.

Sivtala Street 6
Sivtala Bye-lane (included in Sivtala Street).
College Lane 3
Grand Trunk Road 7

2. The following area, together with the number of lamps to be installed, are further proposed to be lighted with electricity later on :—

Name and portion of the street, road or lane to be lighted (together with all holdings on either side).

Number of lamps to be installed.
25 C. P. 50 C. P.

Ward No. I.

Portion of Charakdanga Street from its junction with Ram Sita Ghat Street of Bhadrakali up to its junction with Maidan Road 4
Chatterji Street 1
Maidan Road 2
Ramhari Ray Lane 2
Choudhripura Street 2
Grand Trunk Road 1

Name and position of the street, road or lane
to be lighted (give full name of locality
on either side)

Number of lamps to be installed.
50 C.P. 25 C.P.

Ward No. II.

Purshitpara Lane	...	...	2	.....
Ramnidhi Chatterji Street	...	...	1	.....
Bazar Lane	...	...	3	.....
Lawrence Street	...	...	3	.....

Ward No. III.

Thakur Mohashoy's Lane	...	...	4	.....
Dispensary Lane	...	...	2	.....
Dispensary Bye-Lane	...	...	2	.....
Lawrence Street	...	...	2	.....

Ward No. IV.

Joyankar Lane	...	...	2	.....
Circular Road	...	...	5	.....
Chawk Lane	...	...	2	.....

3. Altogether one hundred and twenty-five electric lamps will be installed as shown in the above statements, of which only one at the Grand Trunk Road in Ward No. II will be of 50 candle-power, the rest being of 25 candle-power each. The Municipal Commissioners have decided to enter into an agreement with the Calcutta Electric Supply Corporation, Limited, for the installation of these lamps and for their maintenance at the annual rates of Rs. 25-9 and Rs. 16-11 for each lamp of 50 and 25 candle-power respectively, or at a total cost of Rs. 2,035 annually. Besides, if necessary, the Commissioners may have to bear a portion of the initial cost for running the electric mains in certain streets.

4. The Municipal Commissioners propose to meet the charge to be incurred on account of lighting the aforesaid areas by imposing an annual lighting rate at 1½ per cent. on the annual value of holdings situated on either side of the roads shown in the above statements. The income to be derived from the lighting tax from the aforesaid area is estimated to be Rs. 2,550 a year.

5. This cancels notification No. 2747M., dated the 27th August 1925.

No. 4247-M.—*The 8th September 1925.*—In exercise of the power conferred by section 14 of the Bengal Municipal Act, 1884 (Bengal Act III of 1884), the Governor in Council is pleased to appoint the following gentlemen to be Commissioners of the Berhampore Municipality in the district of Murshidabad:—

- | | | |
|--|-----|----------------------|
| 1. The Superintendent of Police, Murshidabad | ... | } <i>Ex officio.</i> |
| 2. The Civil Surgeon of Murshidabad | ... | |
| 3. The District Engineer, Murshidabad | ... | |
| 4. Babu Moho Mohan Sen, M.A., B.L. | ... | |
| 5. Manvi Ekramul Huq, B.L., M.L.C. | | |
| 6. Babu Jogesh Charan Sen. | | |
| 7. Babu Harendra Krishna Rai, B.L. | | |
| 8. Rai Sahib Nilmani Bhattacharyya. | | |

No. 4247-M.—*The 9th September 1925.*—In exercise of the power conferred by clause (a) of section 59 of the Bengal Municipal Act, 1884 (Bengal Act III of 1884), the Governor in Council is pleased to approve the resolution passed by the Commissioners of the Kamarhati Municipality, in the district of the 24-Parganas, under section 23 of the Act, electing Mr. F. Graham to be Chairman of that municipality.

S. W. GOUGH.

Secretary to the Government of Bengal.

ADVERTISEMENTS AND CORRECTIONS.

No. 2221 L.S.-G.—The 11th September 1925.—In the table appended to notification No. 240 L.S.-G., dated the 28th January 1925, published at pages 297 to 306 of Part I of the Calcutta Gazette, dated the 28th February 1925, make the following corrections:—

Page 297, column 2, showing the mauzas constituting the Magra union, read—

" Raghav Karra	... 10 "	for " Baghab Karra	... 10 "
" Mirpur	... 261 "	for " Mirsapur	... 261 "

Page 297, column 4, showing the mauzas constituting the Gala union, read

" Khairabari	... 44 "	for " Khairbari	... 44 "
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Page 297, column 4, showing the mauzas constituting the Gharinda union, read—

" Chorjana	... 89 "	for " Charjana	... 89 "
" Daruria	... 95 "	for " Heruria	... 95 "

Page 298, column 2, showing the mauzas constituting the Karatia union, read—

" Nalsanda	... 126 "	for " Nalsunda	... 126 "
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Page 299, column 2, showing the mauzas constituting the Danya union, read

" Laujana	... 222 "	for " Laujana	... 222 "
" Patkpara	... 223 "	for " Paipara	... 223 "

Page 299, column 4, showing the mauzas constituting the Baghal union, read

" Gupter Gajarjan	... 14 "	for " Gupter Gajarjan	... 14 "
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Page 299, column 2, showing the mauzas constituting the Kauchanpur union, read—

" Jantuki	... 77 "	for " Jantuki	... 77 "
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Page 299, column 4, showing the mauzas constituting the Kashi union, read—

" Dapnajor	... 10 "	for " Dapnajor	... 10 "
" Pichuri	... 34 "	for " Pichuria	... 34 "
" Biola	... 36 "	for " Biola	... 36 "

Page 299, column 4, showing the mauzas constituting the Habla union, read—

" Nahali	... 49 "	for " Nahali	... 49 "
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Page 300, column 2, showing the mauzas constituting the Dubail union, read—

" Prayagani	... 54 "	for " Prayag Jani	... 54 "
" Subarnatali	... 55 "	for " Subarnatali	... 55 "
" Bailtala	... 59 "	for " Baitala	... 59 "

Page 300, column 2, showing the mauzas constituting the Mahera union, read

" Ag. Chhawal	... 3 "	for " Ag Chhanali	... 3 "
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Page 300, column 2, showing the mauzas constituting the Mirzapur union, read—

" Musuria Ghona	... 100 "	for " Musuria Ghora	... 100 "
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Page 300, column 4, showing the mauzas constituting the Binail union, read—

" Gaili	... 52 "	for " Gaili	... 52 "
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Page 300, column 4, showing the mauzas constituting the Anaitara union, read—

" Chaubaria	... 41 "	for " Chanbaria	... 41 "
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Page 301, column 2, showing the mauzas constituting the Warshi union, read—

" Nagar Abhadgram	... 73 "	for " Nagar Abhadgram	... 73 "
" Banda Kamajani	... 117 "	for " Banda Kamajani	... 117 "

Page 301, column 4, showing the mauzas constituting the Baharia union, read—

"Gahra	...	132 "	for " Bli Gasaria	...	132 "
" Bli Gasaria	...	133 "	for " Ditto	...	133 "

Page 301, column 4, showing the mauzas constituting the Goral union, read—

" Kot Baharia	...	147 "	for " Kot Bharia	...	147 "
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Page 301, column 2, showing the mauzas constituting the Deoli union, read—

" Karail	...	11 "	for " Karial	...	11 "
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Page 301, column 2, showing the mauzas constituting the Bhara union, read—

" Ag. Dighalia	...	1 "	for " Ag. Dighalia	...	1 "
" Chaubaria	...	34 "	for " Chaubaria	...	34 "

Page 301, column 4, showing the mauzas constituting the Sahabatpur union, read—

" Ghuni Gazmati	...	54 "	for " Ghuni Gzamati	...	54 "
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Page 301, column 4, showing the mauzas constituting the Dariapur union, read—

" Bausaid	...	77 "	for " Bausaid	...	77 "
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Page 302, column 2, showing the mauzas constituting the Dariapur union, read—

" Pachuria	...	81 "	for " Pachunia	...	81 "
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Page 302, column 2, showing the mauzas constituting the Gayhata union, read—

" Danga Bausaid	...	155 "	for " Danga Bausaid	...	155 "
" Ghiorkol	...	158 "	for " Ghiorkol	...	158 "

Page 302, column 2, showing the mauzas constituting the Salimabad union, read—

" Tarafram Ghunipara	...	184 "	for " Taragram Ghunipara	...	184 "
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Page 302, column 4, showing the mauzas constituting the Duptiar union, read—

" Pachh Arra	...	211 "	for " Pachh Aura	...	211 "
" Bauna Lukai	...	225 "	for " Bauni Lukai	...	225 "

Page 302, column 4, showing the mauzas constituting the Bhadra union, read—

" Randhunipara	...	143 "	for " Randunipara	...	143 "
" Bhadra Bhikan	...	207 "	for " Bhudra Bhikan	...	207 "

Page 303, column 2, showing the mauzas constituting the Mansudi union, read—

" Jhopna	...	1 "	for " Jhapna	...	1 "
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Page 303, column 2, showing the mauzas constituting the Jhaoail union, read—

" Dekuri	...	91 "	for " Dekuri	...	91 "
" Moail	...	92 "	for " Morail	...	92 "
" Sonamui	...	131 "	for " Sonamani	...	131 "

Page 303, column 2, showing the mauzas constituting the Gopalpur union, read—

" Naijbari	...	30 "	for " Naijbari	...	30 "
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Column 4—

" Bhuxarpara	...	103 "	for " Bhuxarpara	...	103 "
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Page 303, column 3, read—

" Dhopakandi " for " Dhapakandi ".

Page 303, column 4, showing the mauzas constituting the Dhopakandi union, read—

" Dhopakandi	...	27 "	for " Dhapakandi	...	27 "
" Jot Bishampur	...	41 "	for " Jot Bishampur	...	41 "
" Jot Ramnagar	...	41 "	for " Jot Ramnagar	...	41 "
" Banda Aralia	...	56 "	for " Banda Aralia	...	56 "

Page 304, column 3, showing the mauzas constituting the Suti union, read—

"Debail ... 110" for "Debail ... 110".

Page 304, column 2, showing the mauzas constituting the Hemnagar union, read—

"Sintapara ... 127" for "Sintapara ... 127".

Page 304, columns 1 and 3, read—

"Gobindasi" for "Gobindashi".

Page 304, column 2, showing the mauzas constituting the Gobindasi union, read—

"Chhabbia ... 168" for "Chhalabiasa ... 168".

Column 4—

"Gobindasi ... 176" for "Gobindashi ... 176".

"Chithalia ... 180" for "Chithalia ... 182".

and add—

"Khanurbari ... 182".

Page 304, column 4, showing the mauzas constituting the Shiakol union, read—

"Ghatandi ... 161" for "Chatandi ... 161".

"Nikkadari ... 189" for "Nikla Fari ... 189".

"Nikla Gobardhan ... 193" for "Nikla Gobardhan ... 193".

"Nikla Anar Khanpara ... 194" for "Nikla Amar Khanpara ... 194".

Page 304, column 4, showing the mauzas constituting the Nikrail union, read—

"Matikata ... 207" for "Natikata ... 207".

"Gopalganja ... 216" for "Gopalganj ... 216".

"Belua ... 225" for "Beloa ... 225".

"Khas Biara ... 229" for "Khas Bisra ... 229".

"Khakchara ... 231" for "Khokchara ... 231".

Page 305, column 2, showing the mauzas constituting the Birtara union, read—

"Basijan ... 17" for "Basijant ... 17".

Page 305, column 2, showing the mauzas constituting the Dhanbari union, read—

"Kismet Dhanbari ... 44" for "Kismet Dhanbari ... 44".

"Madarpur ... 55" for "Madarpur ... 55".

"Ghagra ... 62" for "Ghagra ... 62".

"Dharati ... 67" for "Sharati ... 67".

Page 305, column 2, showing the mauzas constituting the Paiska union, read—

"Syedarpara ... 13" for "Syadarpara ... 13".

"Kayra ... 41" for "Kayura ... 41".

Page 305, column 4, read—

"Dhopakhali" for "Dhapakhali".

"Dhopakhali ... 95" for "Dhapakhali ... 95".

Page 305, column 4, showing the mauzas constituting the Dhopakhali union, read—

"Banda Betal ... 90" for "Banda Batal ... 90".

"Mathbari ... 102" for "Mathouri ... 102".

"Charabhanga ... 127" for "Charbhanga ... 127".

Page 305, column 4, read—

"Chakanda Golabari" for "Chakunda Golabari".

Page 305, column 4, showing the mauzas constituting the Chakanda Golabari union read—

"Kadim Fasal Konabari ... 143" for "Kadim Fasal Kanabari ... 143".

"Krishnapur ... 146" for "Krisnapur ... 146".

"Konabari ... 154" for "Kanabari ... 154".

"Harnai ... 155" for "Harnai ... 155".

Page 305, column 2, showing the mauzas constituting the Ambaria union, read—

" Haddi	... 104 "	for " Haddil	... 104 "
" Dari Haddi	... 110 "	for " Dari Haddil	... 110 "

Page 305, column 2, showing the mauzas constituting the Ambaria union, read—

" Balichhora	... 123 "	for " Ballahara	... 123 "
" Kalkhal	... 157 "	for " Kalkhal	... 157 "
" Shabanirteki	... 215 "	for " Shabanirteke	... 215 "

Page 305, column 2, showing the mauzas constituting the Kalamajhi union, read—

" Malauri	... 175 "	for " Malanri	... 176 "
" Gangair	... 190 "	for " Gangalth	... 190 "

Column 4—

" Lauphala	... 193 "	for " Lanfala	... 193 "
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Page 306, column 2, showing the mauzas constituting the Satpoa union, read—

" Chunia patal	... 3 "	for " Chunia Patab	... 3 "
" Siana	... 7 "	for " Sishna	... 7 "
" Baghmura	... 21 "	for " Baglimura	... 21 "
" Dhan Ata	... 23 "	for " Ata	... 23 "
" Bhurarbari	... 24 "	for " Bhinarbari	... 24 "
" Balardia	... 29 "	for " Balaidia	... 29 "

Page 306, column 2, showing the mauzas constituting the Malipara union, read—

" Brahmanjani	... 16 "	for Brahmanjan	... 16 "
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Page 306, column 2, showing the mauzas constituting the Doail union, read—

" Tangail Rajibdia	... 28 "	for " Tangail Rai Jibdia	... 28 "
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Page 306, column 4, showing the mauzas constituting the Pingua union, read—

" Meia	... 65 "	for " Mea	... 65 "
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No. 2924 L. S. G.—The 11th, September 1925.—In the tables appended to notifications Nos. 5035 and 5036 L. S. G., dated the 12th December 1924, published at pages 7 to 23 of Part I of the Calcutta Gazette, dated the 1st January 1925, make the following corrections:—

Page 18, column 2, showing the mauzas constituting the Gangail union, read—

" Panchbaria	... 129 "	for " Panchabaria	... 129 "
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Page 18, column 2, showing the mauzas constituting the Rajgati union, read—

" Hijajani	... 147 "	for " Hijajahi	... 147 "
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Page 18, column 2, showing the mauzas constituting the Musuli union, read—

" Dapan Ati	... 160 "	for " Dapair Ati	... 160 "
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Page 18, column 4, showing the mauzas constituting the Betagair union, read—

" Gopinathpur	... 23 "	for " Gupanathpur	... 23 "
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Page 18, column 4, showing the mauzas constituting the Acharga n union, read—

" Amudabad	... 85 "	for " Amudbad	... 85 "
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Page 18, column 3 and Page 19, column 1, read—

" Jahangirpur " for " Jahingirpur. "

Page 19, column 2, showing the mauzas constituting the Mahasampur union, read—

" Kaliapara	... 36 "	for " Katiapara	... 36 "
" Bahader Nagar	... 38 "	for " Bahadit Nagar	... 38 "
" Kanurampur	... 40 "	for " Kanarsampur	... 40 "
" Uttar Palahar	... 42 "	for " Uttar Palmar	... 42 "

Column 4—

" Amadpur	... 58 "	for " Ahmedpur	... 58 "
" Kapathor	... 59 "	for " Kapelpur	... 59 "

Page 12, column 3, read—

"Chandipasha" for "Chandipasha".

Page 21, column 1, delete—

"Dowhadhola".

Page 21, column 2, showing the mauzas constituting the Dowhadhola union, delete—

"Hiransan Khila	... 147 "	"Rukindipur	... 151 "
"Chandpur	... 148 "	"Marichalli	... 155 "
"Chak Kaladia	... 149 "	"Takpur	... 156 "
"Nagua	... 150 "	"Swalpa Dowhakhola	... 157 "
"Asanpur	... 151 "	"Chhota Bri Dowhakhola	... 158 "
"Doulatpur	... 152 "	"Swalpa Panati	... 159 "
"Asanpur Bilkaila	... 153 "	"Bri Dowhakhola	... 160 "
		"Kazi Ranati	... 161 "

Page 19, column 2, showing the mauzas constituting the Sarisha union, read—

"Masimpur ... 474 " for "Kasimpur ... 474 ".

Page 19, column 2, showing the mauzas constituting the Athrabari union, read—

"Chorgaon ... 510 " for "Chargaon ... 510 ".

Page 19, column 4, showing the mauzas constituting the Jatia union, read—

"Ghagrpara ... 360 " for "Chagrpara ... 360 ".

"Majhikandi ... 361 " for "Majhikandi ... 363 ".

Page 20, column 2, showing the mauzas constituting the Jatia union, read—

"Maliati ... 462 " for "Muliati ... 462 ".

"Sutia ... 484 " for "Sata ... 484 ".

Page 20, column 2, showing the mauzas constituting the Magtola union, read—

"Chhotiantola-Bairati ... 321 " for "Chhotiantola Bairati ... 321 ".

Page 20, column 2, showing the mauzas constituting the Barahit union, read—

"Jugia Khali ... 237 " for "Jugir Khali ... 237 ".

Page 20, column 4, showing the mauzas constituting the Uchakhila union, read—

"Hoser Algi ... 191 " for "Hoser, Algi ... 191 ".

"Iswarpur-Gobindanagar ... 208 " for "Iswanpur Gobindanagar ... 208 ".

"Kazir Baba ... 213 " for "Kajir Balsa ... 213 ".

Page 20, column 4, showing the mauzas constituting the Charpara union, read—

"Brahmangati ... 267 " for "Brahmangoti ... 267 ".

Page 21, column 2, showing the mauzas constituting the Charpara union, read—

"Swalpa Ghagra ... 281 " for "Swolpa Ghagra ... 281 ".

"Bil Kherua ... 307 " for "Bil Khorua ... 307 ".

Page 21, column 2, showing the mauzas constituting the Bhangnamari union, read—

"Khodabaksapur ... 194 " for "Khodabadsapur ... 194 ".

Page 21, column 4, showing the mauzas constituting the Tarandia union, read—

"Kazir Baira ... 184 " for "Kajir Boira ... 184 ".

"Gopalpur (1½ portion) ... 188 " for "Gopalpur (a portion) ... 188 ".

Page 21, column 4, showing the mauzas constituting the Raingopalpur union, read—

"Bahadurpur ... 94 " for "Bahadirpur ... 94 ".

"Gaukhan ... 100 " for "Gazi Khan ... 100 ".

"Naogaon ... 101 " for "Naogson ... 101 ".

Page 21, column 4, showing the mauzas constituting the Dowhakhola union, read—

"Gayer Khila ... 112 " for "Gayerkhila ... 112 ".

"Krishnanagar Para ... 125 " for "Krishnanagar Para ... 125 ".

Rajibpur ... 125 " Rajibpur ... 125 ".

Page 22, column 2, showing the mauzas constituting the Dowhakhola union, *add*—

"Hiransan Khola ...	147 "	"Mariobali ...	155 "
"Chandpur ...	148 "	"Takpur ...	156 "
"Chak Kalandia ...	149 "	"Swalpa Dowhakhola ...	157 "
"Nagua ...	150 "	"Chhota Bri Dowhakhola ...	158 "
"Asanpur ...	151 "	"Swalpa Panati ...	159 "
"Doulatpur ...	152 "	"Bri Dowhakhola ...	160 "
"Asanpur Bilkaila ...	153 "	"Panati ...	161 "
"Rakundipur ...	154 "	"Kazi Panati ...	162 "

Page 22, column 2, showing the mauzas constituting the Bokainagar union, *read*—

"Iarpur ...	83 "	for "Irapur ...	83 "
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Page 22, column 2, showing the mauzas constituting the Sahanati union, *read*—

"Daulatabad ...	406 "	for "Doulatabad ...	406 "
"Chhota Baheratola ...	412 "	for "Chhotta Baheratola ...	412 "

Column 4—

"Patharali ...	436 "	for "Patharaili ...	436 "
"Rai Simul ...	441 "	for "Rai Somil ...	441 "
"Pochangia ...	444 "	for "Pochangira ...	444 "

Page 22, column 4, showing the mauzas constituting the Sohagi union, *read*—

"Chhota Tarakandi ...	375 "	for "Chhotta Tarakandi ...	375 "
"Matjhati ...	424 "	for "Matjhati ...	425 "

Page 22, column 4, showing the mauzas constituting the Achintapur union, *read*—

"Dhaskura ...	45 "	for "Dheslura ...	45 "
"Singraund ...	51 "	for "Singrund ...	51 "
"Gogla ...	76 "	for "Gogla ...	76 "

Page 23, column 2, showing the mauzas constituting the Achintapur union, *read*—

"Chaira Kanda ...	80 "	for "Chair Kanda ...	80 "
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Page 23, column 2, showing the mauzas constituting the Macha union, *read*—

"Jhalamala ...	66 "	for "Jhalamala ...	66 "
"Sahar Ahumadpur ...	71 "	for "Sahar Alimadpur ...	71 "

Page 23, columns 1 and 3, *read*—

"Maila Kanda " for "Mail Kanda".

Page 23, column 4, showing the mauzas constituting the Gauripur union, *read*—

"Nandura ...	16 "	for "Mandura ...	16 "
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Page 10, column 4, showing the mauzas constituting the Nayanagar union, *delete*—

"Char Banipakuri ...	70 "
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and *add*—

"Malancha ...	55 "	"Maurab'agina ...	62 "
"Ukra ...	56 "	"Alakdia (1st portion) ...	63 "
"Lakshimpur ...	57 "	"Alakdia (2nd portion) ...	64 "
"Hat Gobindaganj ...	58 "	"Banipakuria ...	65 "
"Kashari-chhera ...	59 "	"Dagi ...	66 "
"Udnapura (1st portion) ...	60 "	"Burunga ...	67 "
"Udnapura (2nd portion) ...	61 "	"Chhiona ...	68 "
"Bajardipara ...	61 "	"Sadhupur ...	69 "

Page 11, column 1, *read* "Char Banipakuri" for "Sadhupur".

Page 11, column 2, showing the mauzas constituting the Sadhupur union, *delete*—

"Mancha ...	55 "	"Maurab'agina ...	62 "
"Ukra (Kismat) ...	56 "	"Alakdia (1st portion) ...	63 "
"Lakshimpur ...	57 "	"Alakdia (2nd portion) ...	64 "
"Govindaganj ...	58 "	"Banipakuria ...	65 "
"Kashari-chhera ...	59 "	"Dagi ...	66 "
"Udnapura (1st portion) ...	60 "	"Burunga ...	67 "
"Udnapura (2nd portion) ...	61 "	"Chhiona ...	68 "
"Bajardipara ...	61 "	"Sadhupur ...	69 "

and *add*—

"Char Banipakuri ...	70 "
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R. W. GOONS,

Secretary to the Government of Nepal.

MEDICAL.

No. 509/Medl.—The 11th September 1925.—Assistant Surgeon Lalit Mohan Roy is appointed temporarily to act as Civil Surgeon Chittagong Hill Tracts, with effect from the forenoon of the 30th May 1925, vice Lieutenant F. H. Gleeson, I.M.D., transferred to Bankura.

S. W. GOODE,

Secretary to the Government of Bengal.

PUBLIC HEALTH.

No. 421T.-P.H.—The 6th September 1925.—Babu B. N. Mazumdar, Assistant Engineer, Public Health Department, is allowed leave on average pay for one month, with effect from 5th August 1925, under article 81 (b) (ii) of the Fundamental Rules.

No. 1728 P.H.—The 11th September 1925.—The following draft of a notification, which the Governor in Council intends to issue in exercise of the powers conferred by section 11 of the Bengal Mining Settlements Act, 1912 (Bengal Act II of 1912), is published for the information of persons likely to be affected thereby.

2. The draft will be taken into consideration on or after the 2nd January 1926, and any objection or suggestion which may be received by the undersigned before that date will be duly considered:—

Draft notification.

In exercise of the powers conferred by section 11 of the Bengal Mining Settlements Act, 1912 (Bengal Act II of 1912), the Governor in Council is pleased to make the following rules in Part V of the rules made under the said section, which were published under notification No. 1420 P.H., dated the 10th July 1924, viz.:—

Rules regarding assessment of mine-owners, etc., under the Bengal Mining Settlements Act, 1912.

60A. (1) The year of assessment is the financial year beginning in April and ending in March.

(2) The year referring to the output of a mine is the calendar year beginning in January and ending in December.

60B. The owner of a mine shall be assessed in respect thereof:—

- (i) in the first year of assessment on the output of the year immediately preceding the year of assessment,
- (ii) in the second year of assessment on the average output of the two years last preceding the year of assessment,
- (iii) thereafter on the average output of the three years last preceding the year of assessment.

Explanation.—The aforesaid periods of years shall, for the purpose of the calculation of the average output during any such period, include any year in which the mine yielded no profit.

60C. No assessment shall be made in respect of a mine which has been permanently closed during the whole of the calendar year preceding the year of assessment, provided that the notice prescribed in rule 72A of the rules made under section 11 of the Bengal Mining Settlements Act, 1912 (Bengal Act II of 1912), and published with notification No. 4100, dated the 19th August 1913, has been received. For the purpose of these rules any such mine which is subsequently re-opened shall be deemed to be a new mine and assessed under rule 60B (i).

60D. A receiver of royalty, rent or fine in respect of mines shall be assessed:—

- (i) in the first year of assessment on the road cess payable for the year immediately preceding the year of assessment,
- (ii) in the second year of assessment on the average road cess payable for the preceding two years, and
- (iii) thereafter on the average road cess payable for the three years last preceding the year of assessment.

S. W. GOODE,

Secretary to the Government of Bengal.

Orders by the Surgeon-General with the Government of Bengal.

No. 7162, dated Darjeeling, the 8th September 1925.—Assistant Surgeon Prabhat Chandra Mukherji, Medical Officer, Eastern Bengal Railway, Chittpore, is allowed leave on average pay for fifteen days, under rules 77 (b) (ii) and 81 (b) (ii) of the Fundamental Rules, with effect from the 19th September 1925 (afternoon) or any subsequent date on which he is relieved of his duties.

No. 719D, dated Darjeeling, the 8th September 1925.—Assistant Surgeon Sarat Chandra Datta is appointed to act as Medical Officer, Eastern Bengal Railway, Chittpore, during the absence, on leave, of Assistant Surgeon Prabhat Chandra Mukherji.

No. 726D, dated Darjeeling, the 10th September 1925.—Assistant Surgeon Gostha Bihari Bhaduri, Medical Officer, Eastern Bengal Railway, Amingaon, is granted leave on average pay for four weeks, under article 81 (b) (ii) of the Fundamental Rules, in extension of three weeks' leave already granted to him.

No. 14528, dated Calcutta, the 12th September 1925.—Assistant Surgeon Khagendra Benode Sinha of the Narayanganj Subdivision and Dispensary, district Dacca, is granted leave on average pay for twenty-two days (entirely on account of privilege leave at his credit), under article 81 (b) (ii) of the Fundamental Rules, with effect from the 3rd October 1925.

No. 14529, dated Calcutta, the 12th September 1925.—Assistant Surgeon Narendra Nath Ghosh is appointed to act at the Narayanganj Subdivision and Dispensary, district Dacca, during the absence, on leave, of Assistant Surgeon Khagendra Benode Sinha, for the period from the 3rd to the 24th October 1925.

R. WILSON, COL., I.M.S.,

Surgeon-General with the Government of Bengal (offg.).

EDUCATION DEPARTMENT.

NOTIFICATIONS.

No. 339T, Edu.—The 3rd September 1925.—Babu Prasulla Kumar Sarkar, Librarian, Rajshahi College, now officiating Assistant Master, Barrackpore Government High School, is allowed combined leave for one year three months and six days with effect from the 1st September 1925, or any subsequent date on which he may avail himself of it, viz.—

Rajshahi.
Barrackpore.

- (i) leave on half average pay from the 1st September 1925, or any subsequent date, under rule 81 (d) of the Fundamental Rules,
- (ii) study leave in the United Kingdom for one year, under the Government of India, Finance Department resolution No. F-20 (2)-C. S. R-25, dated the 4th February 1925, with effect from the 1st October 1925, or any subsequent date on which it may be required, and
- (iii) leave on half average pay from the date of the termination of the study leave, for such period as together with the first period does not exceed three months and six days, under rule 81 (d) of the Fundamental Rules.

This cancels notification No. 2292Edu., dated the 17th August 1925.

No. 2448Edu.—The 7th September 1925.—Miss G. M. Baker, Preparatory School-Mistress, Victoria Boys' School, Kurseong, is allowed leave on half average pay for eleven months, under rule 81 (d) of the Fundamental Rules, with effect from the 5th September 1925, or any subsequent date on which she avails herself of it.

Darjeeling.

No. 2551Edu.—The 4th September 1925.—Babu Jyotisk Chandra Chatterji, Professor, Rajshahi College, was allowed leave for fifteen days, with effect from the 4th July 1925, in continuation of the summer vacation of the college, viz. leave on average pay for eight days under rules 81 (b) (ii) and 82 (b) of the Fundamental Rules, and leave on half average pay for the remaining period under rule 81 (d) of the same Rules.

Rajshahi.

No. 2554Edu.—The 4th September 1925.—Babu Debendra Kumar Banerji, officiating in the Bengal Educational Service as Professor of Sanskrit, Chittagong College, is confirmed in the appointment with effect from the 2nd March 1924, vice Dr. Surendra Nath Das Gupta, promoted.

Chittagong.

No. 4057T.-Edn.—*The 9th September 1925.*—Khan Sahib Maulvi Alfazuddin Ahmad, officiating Inspector of Schools, Burdwan Division, is appointed to act as Inspector of Schools, Chittagong Division, on his own pay in the Bengal Educational Service, with effect from the 11th August 1925, or any subsequent date, *vice* Khan Bahadur Maulvi Ahsanullah, on deputation, or until further orders.

No. 4067T.-Edn.—*The 9th September 1925.*—Babu Kalipada Sarkar, second Inspector of Schools, Dacca Division, now officiating Inspector of Schools of that division, is appointed to act as Inspector of Schools, Burdwan Division, on his own pay in the Bengal Educational Service, with effect from the date on which he joins the appointment, *vice* Mr. Malloob Ahmed Khan Choudhury, on deputation, or until further orders.

No. 4077T.-Edn.—*The 9th September 1925.*—Maulvi Mirza Abu Jaafar, Assistant Inspector for Muhammadan Education, Presidency Division, is appointed to act as second Inspector of Schools, Dacca Division, with effect from the date on which he joins the appointment, *vice* Babu Kalipada Sarkar, on deputation, or until further orders.

No. 3977T.-Edn.—*The 9th September 1925.*—Maulvi Mahatabuddin Ahmad, District Inspector of Schools, Dinajpur, is appointed to act as Second Inspector of Schools, Rajshahi Division, with effect from the date on which he joins the appointment, *vice* Maulvi Muhammad Sulaiman, on leave, or until further orders.

J. H. LANDSAY,

Secretary to the Government of Bengal.

Orders by the Director of Public Instruction, Bengal.

No. 32B.—*The 9th September 1925.*—Maulvi Abdul Lateef, Assistant Inspector of Schools for Muhammadan Education, Burdwan Division, in the Bengal Educational Service, is granted leave on average pay for one month and fifteen days under article 81 (b) (ii) of the Fundamental Rules, with effect from the 3rd October 1925.

E. F. OATEN,

Director of Public Instruction, Bengal.

Orders by the Inspector-General of Registration, Bengal.

No. 443.—*The 8th September 1925.*—Babu Sachindra Nath Mitra, Sub Registrar of Deganga in the district of the 24-Parganas, is allowed leave on average pay for one month and three days under rule 81 (b) (ii) of the Fundamental Rules, in extension of the leave granted to him in this department notification No. 379, dated the 18th August 1925.

No. 444.—*The 8th September 1925.*—Maulvi Khwaja Muhammad Bedar Bakht, Sub-Registrar of Sabhar in the district of Dacca, is allowed leave on average pay for one month under rule 81 (b) (ii) of the Fundamental Rules, with effect from the 20th June 1925.

No. 445.—*The 8th September 1925.*—Maulvi Tahjebuddin Ahmad, probationary Sub-Registrar of Mymensingh, acted as Sub-Registrar of Joydebpur in the district of Dacca from the 20th to the 28th June 1925 (both days inclusive).

No. 446.—*The 8th September 1925.*—Babu Jamini Kanta Bakshi, Sub-Registrar of Jara in the district of Midnapore, is allowed leave on average pay for two months and twenty-one days under rule 81 (b) (ii) of the Fundamental Rules, with effect from the 3rd October 1925.

No. 447.—*The 8th September 1925.*—Babu Dhaneesh Chandra Sen, Sub-Registrar of Kushtia in the district of Nadia, is allowed leave on average pay for eight days under rule 81 (b) (ii) of the Fundamental Rules, with effect from the 3rd October 1925.

- No. 448.—The 8th September 1925.**—Maulvi Abul Faiz, Sub-Registrar of Gopiballapur in the district of Midnapore, is appointed to be Sub-Registrar of Jhargram in the same district.
- No. 449.—The 8th September 1925.**—Babu Gyanada Prasad Datta, Sub-Registrar of Khetlal in the district of Bogra, is allowed leave on average pay for nineteen days under rule 81 (b) (ii) of the Fundamental Rules, in extension of the leave granted to him in this department notification No. 415, dated the 27th August 1925.
- No. 450.—The 8th September 1925.**—Babu Gyanada Prasad Datta, Sub-Registrar of Khetlal in the district of Bogra, on leave, is appointed to be Sub-Registrar of Kishoreganj in the district of Rangpur.
- This cancels this department notification No. 407, dated the 26th August 1925, appointing him to be the Sub-Registrar of Sthal in the district of Pabna.
- No. 451.—The 8th September 1925.**—Babu Gobinda Charan Samanta, Sub-Registrar attached to Hooghly, was on leave on average pay for one month under rule 81 (b) (ii) of the Fundamental Rules, with effect from the afternoon of the 19th May 1925, on being relieved of his officiating appointment as Sub-Registrar of Potashpur in the district of Midnapore.
- No. 452.—The 8th September 1925.**—Babu Sudhir Kumar Ray, probationary Sub-Registrar of Midnapore, acted as Sub-Registrar of Potashpur in the same district from the afternoon of the 19th May 1925 to 9th August 1925, *vice* Maulvi Saiyid Amir Hussain, Sub-Registrar, on leave.
- No. 453.—The 8th September 1925.**—Babu Indu Bhushan Ray, Sub-Registrar of Bharatkhal in the district of Rangpur, is allowed leave on average pay for four months under rule 81 (b) (ii) of the Fundamental Rules, with effect from the date on which he may be relieved.
- No. 454.—The 8th September 1925.**—Maulvi Muhammad Hanif, Sadar Second Joint Sub-Registrar of Bogra at Malda, on leave, is appointed to be Sub-Registrar of Bharatkhal in the district of Rangpur.
- No. 455.—The 8th September 1925.**—Sahibzada Fatch Muhammad Shah, Sub-Registrar of Habra in the district of the 24-Parganas, is allowed leave on average pay for one month under rule 81 (b) (ii) of the Fundamental Rules, in extension of the leave granted to him in this department notification No. 269, dated the 8th June 1925.
- No. 456.—The 8th September 1925.**—Maulvi Abul Hasam Chaudhury, Sub-Registrar attached to Alipore, is appointed to act as Sub-Registrar of Mathurapur in the district of the 24-Parganas, with effect from the 17th June 1925, until he is relieved by Babu Atul Krishna Banerji or until further orders.
- No. 457.—The 8th September 1925.**—Babu Jotindra Kumar Banerji, Sub-Registrar of Haroa in the district of the 24-Parganas, was on leave on average pay from the 25th May 1925 to 8th June 1925 under rule 81 (b) (ii) of the Fundamental Rules.
- No. 458.—The 8th September 1925.**—Maulvi Abul Fazi, probationary Sub-Registrar, Alipore, in the district of the 24-Parganas, acted as Sub-Registrar of Haroa in the same district from the afternoon of the 27th May 1925 to the 8th June 1925, *vice* Babu Jotindra Kumar Banerji, Sub-Registrar, on leave.
- No. 459.—The 8th September 1925.**—Maulvi Muhammad Mujibul Haq, Sub-Registrar attached to Dacca, is appointed to act until further orders as Sub-Registrar of Rawna in the district of Bakarganj, with effect from the date on which he joined there.
- No. 460.—The 8th September 1925.**—Maulvi M. A. Jabbar, Sub-Registrar of Dhumat in the district of Bogra, was on leave on average pay for three days under rule 81 (b) (ii) of the Fundamental Rules, with effect from the 7th June 1925.
- No. 461.—The 8th September 1925.**—Babu Nikunja Bihari Sen Gupta, Sub-Registrar of Nasirpur in the district of Bakarganj, is appointed to be Sub-Registrar of Radhaballav in the same district.
- No. 462.—The 8th September 1925.**—Babu Rai Mohan Mazumdar, Sub-Registrar of Radhaballav in the district of Bakarganj, is appointed to be Sub-Registrar of Nasirpur in the same district.

No. 463.—The 8th September 1925.—Babu Abani Bhushan Chakrabatti, probationary Sub-Registrar of Jessore, is appointed to act until further orders as Sub-Registrar of Harinakunda in the same district with effect from the afternoon of the 13th July 1925, *vice* Maulvi Saiyid Abdur Rauf, Sub-Registrar, on leave.

No. 464.—The 8th September 1925.—Maulvi Muhammad Musafarullah, officiating Sub-Registrar of Gunabati in the district of Tippera, was on leave on average pay under rule 81 (b) (ii) of the Fundamental Rules from the 24th to the 30th June 1925 (both days inclusive).

No. 465.—The 8th September 1925.—Babu Rankim Chandra Chakrabatti, Sub-Registrar attached to Mymensingh, is appointed to act until further orders as Joint Sub-Registrar of Kendua at Madan in the same district, with effect from the date on which he joined there.

No. 466.—The 8th September 1925.—Maulvi Khadim Rasul, Sub-Registrar of Naalnagar in the district of Tippera, was on leave on average pay for five days under rule 81 (b) (ii) of the Fundamental Rules, in extension of the leave granted to him in this department notification No. 318, dated the 7th July 1925.

No. 467.—The 8th September 1925.—Babu Satish Chandra Ray, Sub-Registrar of Boalkhali in the district of Chittagong, on leave, is appointed to be Sub-Registrar of Patiya in the same district.

No. 468.—The 8th September 1925.—Babu Ramani Ranjan Sen, Sub-Registrar of Patiya in the district of Chittagong, on leave, is appointed to be Sub-Registrar of Boalkhali in the same district.

No. 469.—The 8th September 1925.—Maulvi Muhammad Bazlur Rahman, Sub-Registrar of Sarail in the district of Tippera, transferred to Bhaluka in the district of Mymensingh, is allowed leave on average pay for nineteen days, under rule 81 (b) (i) of the Fundamental Rules, in extension of the leave granted to him in this department notification No. 299, dated the 25th June 1925.

No. 470.—The 8th September 1925.—Maulvi Muhammad Amir Hussain, Joint Sub-Registrar of Kalihati at Seharail in the district of Mymensingh, is allowed leave on average pay for one month, under rule 81 (b) (ii) of the Fundamental Rules, in extension of the leave granted to him in this department notification No. 397, dated the 24th August 1925.

No. 471.—The 9th September 1925.—Babu Binod Bihari Datta, Sub-Registrar of Hathazari in the district of Chittagong, is allowed leave on average pay for one month and twenty-four days under rule 81 (b) (ii) of the Fundamental Rules, with effect from the 27th July 1925.

No. 472.—The 9th September 1925.—Maulvi Mokhlisur Rahman, probationary Sub-Registrar of Chittagong, is appointed to act as Sub-Registrar of Hathazari in the same district, with effect from the 27th July 1925, *vice* Babu Binod Bihari Datta, on leave, or until further orders.

No. 473.—The 9th September 1925.—Maulvi A. N. M. Yusuf Ali, probationary Sub-Registrar of Barisal in the district of Bakarganj, acted as Sadar Joint Sub-Registrar of Barisal from the afternoon of the 23rd June 1925 to 29th July 1925, during the absence, on deputation, of Babu Nitraton Mukharji, Sadar Joint Sub-Registrar of Barisal, to act as Sadar Sub-Registrar of Barisal.

No. 474.—The 11th September 1925.—Maulvi Agha Ali Ahmad Shiraje, Sub-Registrar of Anasol in the district of Burdwan, is allowed leave on average pay for three months under rule 81 (b) (ii) of the Fundamental Rules, with effect from the 3rd October 1925.

No. 475.—The 11th September 1925.—Babu Sachindra Nath Ghosh, Sub-Registrar of Domjur in the district of Howrah, is appointed to be Sub-Registrar of Anasol in the district of Burdwan.

No. 476.—The 11th September 1925.—Babu Kunja Bihari Chakrabatti, Sub-Registrar on leave, is appointed to be Sub-Registrar of Domjur in the district of Howrah.

No. 477.—The 11th September 1925.—Babu Kunja Bihari Chakrabatti, Sub-Registrar, is allowed leave on average pay for nineteen days under rule 81 (b) (ii) of the Fundamental Rules, in extension of the leave granted to him in this department notification No. 369, dated the 13th August 1925.

No. 474.—The 11th September 1925.—Maulvi Abdur Rahman, Sub-Registrar of Fulgazi in the district of Noakhali, is allowed leave on average pay for two months under rule 81 (b) (ii) of the Fundamental Rules, in extension of the leave granted to him in this department notification No. 240, dated the 28th May 1925.

No. 475.—The 11th September 1925.—Babu Jatindra Chandra Ghosh, Sub-Registrar of Kandi in the district of Murshidabad, was on leave on average pay for two days under rule 81 (b) (ii) of the Fundamental Rules, in extension of the leave granted to him in this department notification No. 217, dated the 9th May 1925.

No. 480.—The 11th September 1925.—Maulvi Ghulam Maqsood Khan, Sub-Registrar on leave, is appointed to be Joint Sub-Registrar of Serajganj at Gandhail in the district of Pabna, with effect from the 18th July 1925.

No. 481.—The 11th September 1925.—Maulvi Jashimuddin Ahmad, Sub-Registrar attached to Pabna, is allowed leave on average pay for one month and thirteen days under rule 81 (b) (ii) of the Fundamental Rules, in extension of the leave granted to him in this department notification No. 336, dated the 25th July 1925.

No. 482.—The 11th September 1925.—Maulvi Muhammad Amir Husain, Joint Sub-Registrar of Kalibhati at Sehrail in the district of Mymensingh, on leave, is appointed temporarily to be the Sub-Registrar of Tangail in the same district.

No. 483.—The 11th September 1925.—Babu Praphulla Chandra Sen, Sub-Registrar of Ghior in the district of Dacca, is allowed leave on average pay for two months and twenty-one days, under rule 81 (b) (ii) of the Fundamental Rules, with effect from the 3rd October 1925.

No. 484.—The 12th September 1925.—Maulvi Abdul Mannan Chaudhuri, Sub-Registrar under orders of transfer to Patarbat in the district of Bakarganj, is allowed leave on average pay for one month and sixteen days under rule 81 (b) (ii) of the Fundamental Rules, in extension of the leave granted to him in this department notification No. 155, dated the 24th March 1925.

No. 485.—The 12th September 1925.—Babu Hiralal Das, Sub-Registrar of Kachua in the district of Khulna, is appointed to be Sub-Registrar of Amannani in the same district.

No. 486.—The 12th September 1925.—Babu Bijoy Lal Ghosh, Sub-Registrar of Ammannani in the district of Khulna, is appointed to be Sub-Registrar of Kachua in the same district.

No. 487.—The 12th September 1925.—Babu Bidhu Bhushan Bhowmik, Sub-Registrar of Balurghat in the district of Dinajpur, is allowed leave on average pay for one month, under rule 81 (b) (ii) of the Fundamental Rules, in extension of the leave granted to him in this department notification No. 301, dated the 26th June 1925.

No. 488.—The 12th September 1925.—Babu Bidhu Bhushan Raha, Sub-Registrar of Bancharampur in the district of Tippera, is appointed to be Sub-Registrar of Sarail in the same district.

No. 489.—The 12th September 1925.—Babu Atul Krishna Banarji, Sub-Registrar under orders of transfer to Mathurapur in the district of the 24-Parganas, is allowed leave on average pay for one month and ten days under rule 81 (b) (ii) of the Fundamental Rules, in extension of the leave granted to him in this department notification No. 352, dated the 4th August 1925.

A. ISLAM,

Inspector-General of Registration, Bengal.

COMMERCE DEPARTMENT.

NOTIFICATIONS.

No. 6412 Com.—The 16th September 1925.—In exercise of the power conferred by sub-section (2) of section 245 of the Indian Companies Act, 1913 (VII of 1913), the Governor in Council is pleased to appoint Babu Kali Kumar Datta to be an additional Assistant Registrar of Joint Stock Companies for the Presidency of Bengal up to the 31st December 1925.

No. 2452-Gen.—The 14th September 1925.—The following notice published by Babu Sarat Chandra Chakrabarty in the "Statesman" and "Amrita Bazar Patrika" of the 8th, 9th and 10th September 1925, is republished for general information in accordance with rule 13(4) of the Indian Electricity Rules, 1925, framed by the Government of India under section 37 of the Indian Electricity Act, 1910 (IX of 1910). Any objection, suggestion or representation which may be received by the Secretary to the Government of Bengal, Commerce Department, up to the 8th December 1925 from any person, company or local authority in respect of Babu Sarat Chandra Chakrabarty's application will be duly considered by Government :—

THE NARAYANGANJ ELECTRICAL LICENSE, 1925.

Notice is hereby given that the undersigned has applied for a license under the Indian Electricity Act for the supply of electrical energy to the public within the Municipal area of Narayanganj for the purposes and upon and subject to the terms and conditions set forth in the draft license of which the following is a copy :—

DRAFT LICENSE.

The Narayanganj Electrical License, 1925.

Licensee for the supply of electrical energy granted by the Government of Bengal under Indian Electricity Act, 1910.

License is hereby granted to Babu Sarat Chandra Chakrabarty, Landholder, Member, District Board, Dacca, residing at No. 106, Kaliprasanna Ghose Street, in the town of Dacca, carrying on business under the name and style of Messrs. Chakrabarty & Sons, to supply Electrical Energy in the area with the powers and upon the terms and conditions all specified below :—

Short Title.

1. The license may be cited as "The Narayanganj Electric Supply License, 1925".

Interpretation.

2. This several words, terms and expressions to which by the Indian Electricity Act 1910, or by the Rules thereunder, meanings are assigned, shall have in this license the same respective meanings, provided that in this license :—

- (a) the Act shall mean the Indian Electricity Act, 1910;
- (b) the expression "the Licensee" shall mean and include the said Babu Sarat Chandra Chakrabarty, carrying on business under the name and style of Messrs. Chakrabarty & Sons and his permitted assigns, and
- (c) the expression "deposited map" shall mean the plan of the area of supply hereinafter specified which has been deposited with the Government in pursuance of the Rules under the Act, which plan is signed for the purpose of identification by the Secretary to the Government of Bengal in the Commerce Department and by the applicant Babu Sarat Chandra Chakrabarty under the name and style of Messrs. Chakrabarty & Sons.

Security.

3. The period within which under clause 1 (a) of the schedule to the Act the licensee shall show to the satisfaction of the Government that he is in a position fully and efficiently to discharge the duties and obligations imposed upon him by this license throughout the area of supply, shall be three years and the period within which under clause 1 (b) of the schedule to the Act the licensee shall deposit or secure such sum as therein mentioned, and the sum to be deposited or secured shall, unless otherwise ordered by the Government under that clause, be six months and Rs. 2,000 (rupees two thousand), respectively.

Area of supply.

4. The area above referred to within which the supply of energy is authorised by this license (the area of supply under the Act) is the whole of the area bounded as follows :—

North—By part of mauza Nabiganj and part of mauza Godenail.

East—By part of mauza Nabiganj, mauzas Baudar, Sonakanda and Ferajikanda, Madanganj khal.

South—By Madanganj khal and Gopchar.

West—By parts of mauzas Godenail, Hajiganj, Khanpur, Chasara, Galachipa, Deobhog and Kashipur, the boundaries whereof are delineated in the deposited map.

Situation of generating station.

5. The licensee will erect the generating station within the area covered by the license.

Limits within which the supply of energy is to be compulsory.

6. (i) The works to be executed to the satisfaction of the Government under clause (i) of the schedule to the Act are the Feeders, Distributors and Mains in the public streets within the municipal boundary of the town of Narayanganj of which a list is appended below.

(ii) If the licensee fail to comply with the provisions of sub-clause (i) the license may be revoked.

Nature of the supply and limits of prices to be charged for the supply of energy.

7. (1) The nature of the supply shall be continuous current at a pressure of either 220 volts or 440 volts at the option of the licensee or such other nature as may be allowed by the Government.

(2) The prices to be charged by the licensee for energy supplied by him shall not exceed the following maxima, namely:—

(a) Domestic supply to public, 12 annas per unit,

(b) Power supply, 6 annas per unit,

(c) Street lighting, 6 annas per unit,

or in the case of a method of charge approved by the Government in accordance with sub-sections (3) and (4) of section 23 of the Act, such maximum as the Government may fix on approving the matter.

The licensee may levy a maximum charge of Rs. 3 per quarter (excluding meter rent) even when energy to that value has not been consumed.

Breaking up of streets, railways and tramways and crossing waterways.

8. The licensee shall have power to open and break up the soil and pavement of all streets not repairable by Government or a local authority situated within the area of supply. He shall have power to cross all waterways and to open and break up the soil and pavement of the Eastern Bengal Railway as far as situated within the area of supply.

Purchase of undertaking.

9. (1) The option of purchase given by sub-section (1) of section 7 of the Act shall first be exercisable on the expiration of 50 years from the date of the notification of this license and on the expiration of every subsequent period of 20 years. The percentage to be added on account of compulsory purchase to the value (as determined in accordance with and for the purposes of sub-section (1) of section 7 of the Act) of the lands, buildings, works, materials and plant of the licensee shall, in accordance with the second proviso of the said sub-section, be 20 per centum.

(2) In accordance with clause (d) (11) of sub-section (2) of section 3 of the Act, it is hereby declared that the generating station to be used in connection with the undertaking shall form part of the undertaking for the purpose of purchase under section 5 or section 7.

A list of local authorities invested with the administration of the area of supply:—

The Narayanganj Municipality.

A list of streets referred to in clause 6 (i) above:—

Nawab Road,

Peter Road,

Sin Road.

Morgan Road.

Western Road.

Henderson Road.

Davidson Road.

R. K. Moitra's Road.

Babupura Road.

A copy of the deposited map may be inspected at the municipal office at Narayanganj or at the office of the undersigned at No. 106, Kuliprasanna Ghose Street, Dacca, where copies of the draft license may be obtained at a price of Rs. 1 per copy.

Every local authority, company or person desirous of making any representation to the Government of Bengal with reference to the application for the license may do so by letter addressed to the Secretary to the Government of Bengal in the Commerce Department within three months of the date of the issue of the newspaper in which this advertisement is first published, viz., the 8th September 1925.

SABAT CHANDRA CHAKRABARTY.

Armanitulla, Dacca.

J. A. WOODHEAD,

Secretary to the Government of Bengal.

MARINE DEPARTMENT.

NOTIFICATION.

No. 54 Marine.—The 10th September 1925.—In exercise of the power conferred by clause (p) (v) of sub-section (1) of section 6 of the Indian Ports Act, 1908 (XV of 1908), the Governor in Council is pleased to make the following rule for the prevention of danger arising to the public health by the introduction and the spread of leprosy from persons on board vessels arriving at any port in Bengal from any port beyond Bengal:—

Rules

The master of every vessel arriving at any port in Bengal from any port beyond Bengal shall report every case of leprosy among the passengers or crew of such vessel to the Health Officer of the first port of call after the discovery of such case.

J. A. WOODHEAD,

Secretary to the Government of Bengal.

PUBLIC WORKS DEPARTMENT.

ESTABLISHMENT.

NOTIFICATION.

No. 60.—*The 14th September 1925.*—Babu Giritja Prasanna Basu, Assistant Engineer, Chittagong Division, is granted leave on average pay for four months, under article 81 (b) (ii) of the Fundamental Rules, with effect from the 3rd October 1925.

G. G. DEY.

Secretary to the Government of Bengal.

IRRIGATION DEPARTMENT.

ESTABLISHMENT.

NOTIFICATIONS.

No. 33.—*The 7th September 1925.*—Babu Surendra Lal Maitra, Assistant Engineer, is granted, under article 260 of the Civil Service Regulations, privilege leave for seventeen days with effect from the 3rd September 1925 or such subsequent date as he may avail himself of it.

No. 34.—*The 12th September 1925.*—Mr. G. J. St. C. Sedgley, Superintending Engineer, Southern Circle, is granted, under article 260 of the Civil Service Regulations, privilege leave for thirteen days, with effect from the 3rd October 1925.

No. 35.—*The 12th September 1925.*—Mr. H. C. Vicyra, Executive Engineer, Khulna Division, is appointed to hold charge of the current duties of the office of the Superintending Engineer, Southern Circle, in addition to his own, during the absence, on leave, of Mr. G. J. St. C. Sedgley, Superintending Engineer.

No. 36.—*The 12th September 1925.*—Mr. W. R. Robson, Assistant Executive Engineer, has been granted, by the High Commissioner for India, leave for a period of three months, viz., two months on average pay and the remaining period on half average pay, in extension of the leave previously granted.

[Third publication.]

No. 6-1.—*The 26th August 1925.*—The following draft of amendment, which, in exercise of the powers conferred by section 11 of the Canals Act, 1864 (Bengal Act V of 1864), the Governor in Council intends to make in rule 25 of the revised rules for the Calcutta and Eastern Canals, Tolly's Nala and Sunderbans Route (published in Bengal Government notification No. 16-1., dated the 14th April 1924, at pages 829-34, Part I of the *Calcutta Gazette* of the 16th idem), is hereby published for the information of persons likely to be affected thereby.

* II. The draft will be taken into consideration on or after the 16th October 1925, and any objections or suggestions received by the undersigned before that date will be considered:—

Draft amendment.

Add to rule 25 of the said rules:—

* Provided that the supervisor may at his discretion permit certain individuals or companies owning powerful and suitable launches to tow more than one barge in the Kristapur Canal and the New Cut Canal up to the Eastern Bengal Railway bridge, within toll limits.

C. ADDAMS WILLIAMS.

Secretary to the Government of Bengal.

DEPARTMENT OF AGRICULTURE AND INDUSTRIES.

NOTIFICATION.

No. 865T. A.-1.—*The 4th September 1925.*—In exercise of the power conferred by section 14 of the Opium Act, 1878 (1 of 1878), the Governor in Council is pleased to authorise the Superintendent of Excise and Salt, Bakarganj, and the Sub-Inspector of Excise and Salt, Bhola Circle, Bakarganj, to exercise the powers mentioned in the said section, in thanas Lakshmipur, Noakhali and Hatiya of the district of Noakhali, in addition to the powers exercised by these officers under the notification dated the 21st March 1879, published in the *Calcutta Gazette* of the 26th idem.

G. S. DUTT,

Secretary to the Government of Bengal.

REVENUE DEPARTMENT.

LAND REVENUE.

NOTIFICATIONS.

No. 94201. R.—*The 8th September 1925.*—Under the provisions of section 3 (17) of the Bengal Tenancy Act, 1885 (Act VIII of 1885), the undermentioned karyungos, acting as khas mahal circle officers of the circles noted against their names in the district of Bakarganj, are authorised to discharge in that district the functions of a Revenue Officer under Chapter X of that Act, so far as they relate to surveys and the preparation of records of rights:—

Maulvi Gholam Akbar, khas mahal circle officer, Amtali (North Bhola).

Maulvi Abdul Ghani Taluqlar, khas mahal circle officer, Joynagar (South Bhola).

Babu Praanatha Nath Chaudhuri, khas mahal circle officer, Barguna.

No. 525T. R.—*The 8th September 1925.*—The following amendments are made in clause (7) of the form of lease for raiyatwari settlements in the Sundarbans in the district of Bakarganj, published under notification No. 861T.—R., dated the 29th May 1916:—

(1) *Omit* the full stop at the end of the clause and *add* the following within brackets:—

"except to a Mugh tenant, with the previous sanction of the Collector in writing."

(2) *Insert* the following as a side-note against the clause:—

"The portion within brackets should be struck out when the lessee is not a Mugh."

W. R. HOPKINS,

Secretary to the Government of Bengal.

LAND ACQUISITION.

No. 9455 L.A.—*The 9th September 1925.*—In exercise of the power conferred by section 48 (1) of the Land Acquisition Act, 1 of 1894, the Governor in Council is pleased to withdraw from the acquisition of a piece of land measuring, more or less, 9 chitaks and 25 square feet of standard measurement, equivalent to 1097 of an acre, being a portion of premises No. 14, Scott Lane, bounded as described below, which was included in the area notified for acquisition under declaration No. 4091 L.A., dated the 30th March 1925, published at pages 530-31, Part I of the *Calcutta Gazette* of the 2nd April 1925, and was required by the Corporation of Calcutta for setting back the roadway opposite premises Nos. 14, 15, 17, 19 and 20, Scott Lane, in Ward No. IX of the Calcutta Municipality in the town of Calcutta.

Boundary.

North—By Scott Lane.

East—By a portion of premises No. 14-1, Scott Lane (old No. 15 and portion of 16, Scott Lane) already acquired under declaration No. 4091 L.A., dated the 30th March 1925.

South—By the remaining portion of premises No. 14, Scott Lane.

West—By Scott Lane.

No. 9439L.A.—The 9th September 1925.—Rai Bahadur Anand Krishna Mukharji, Subdivisional Officer of Goalanda, in the District of Faridpur, is vested with the powers of a Collector under the Land Acquisition Act, I of 1894, in that subdivision.

No. 9441L.A.—The 9th September 1925.—Babu Nirod Krishna Ray, Subdivisional Officer of Uluberia, in the District of Howrah, is vested with the powers of a Collector under the Land Acquisition Act, I of 1894, in that subdivision.

No. 9476L.A.—The 10th September 1925.—In exercise of the power conferred by section 48 (1) of the Land Acquisition Act, I of 1894, the Governor in Council is pleased to withdraw from acquisition of a piece of land measuring, more or less, 33 of an acre, which was notified for acquisition under declaration No. 3322L.A., dated the 17th March 1925, published at page 486, Part I of the *Calcutta Gazette* of the 26th idem and required by the Bankura District Board for the construction of a Primary School in village Lohagarh, pargana Chhatna, zilla Bankura.

No. 9473L.A.—The 10th September 1925.—Babu Brajabandhu Bhaumik, Subdivisional Officer of Gopalganj, in the District of Faridpur, is vested with the powers of a Collector under the Land Acquisition Act, I of 1894, in that subdivision.

No. 9512L.A.—The 10th September 1925.—Whereas it appears to the Governor in Council that land is likely to be required to be taken by Government at the expense of the Naihati Municipality for a public purpose, viz., for the construction of George Road, in the village of Kantalpara, jurisdiction No. 89 of Naihati thana, pargana Habibshahar, zilla 24-Pargannas, it is hereby notified that for the above purpose four pieces of land altogether measuring, more or less, 2276 of an acre, bounded on the—

PLOT No. I :

North—By the land of Phani Bhusan Bose, Sarat Chandra Chaudhury and by the public drain,

East—By the land of Sarat Chandra Chaudhury and by the municipal land,

South—By the land of Prem Ranjan Roy, Sarat Chandra Chaudhury, Gossowant Das Dey and Rakhal Chandra Bhattacharjee,

West—By the public drain,

PLOT No. II :

North—By the land of Makhan Chandra Sadhukhan,

East, South and West—By the public drain.

PLOT No. III :

North—By public lane,

East—By the land of Sarat Chandra Sadhukhan and by the public drain,

South—By the land of Sarat Chandra Sadhukhan,

West—By the drain of Cunningham Road,

PLOT No. IV :

North and East—By the land of Makhan Chandra Sadhukhan,

South—By public drain,

West—By the drain of Cunningham Road,

are likely to be required within the aforesaid village of Kantalpara.

This notification is made, under the provisions of section 4 of Act I of 1894, to all of whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor in Council is pleased to authorise the officers for the time being engaged in the undertaking, with their servants and workmen, to enter upon and survey the land and do all other acts required or permitted by that section.

Any person interested in the above land, who has any objection to the acquisition thereof, may, within thirty days of the publication of this notification, file an objection in writing before the collector of the 24-Pargannas.

No. 95161 L.A.—The 10th September 1925.—Whereas it appears to the Governor in Council that land is likely to be required to be taken by Government at the public expense for a public purpose, viz., for the extension of play-ground of the St. Placid School, Chittagong, in the village of Sumakatgar, police-station Kotwali, zilla Chittagong, it is hereby notified that for the above purpose a piece of land measuring, more or less, '08 of an acre, bounded on the—

North and East—By the play-ground of the St. Placid School,

South—By road (cadastral survey plot No. 88),

West—By road (cadastral survey plot No. 69).

is likely to be required within the aforesaid village of Sumakatgar.

This notification is made, under the provisions of section 4 of Act I of 1894, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor in Council is pleased to authorize the officers for the time being engaged in the undertaking, with their servants and workmen, to enter upon and survey the land and do all other acts required or permitted by that section.

Any person interested in the above land, who has any objection to the acquisition thereof, may, within thirty days of the publication of this notification, file an objection in writing before the Collector of Chittagong.

No. 95181 L.A.—The 10th September 1925.—Whereas it appears to the Governor in Council that land is likely to be required to be taken by Government at the expense of the Madaripur Municipality for a public purpose, viz., for the location of the free primary school at Kulpaddi in the village of Kulpaddi, pargana Jalalpur, zilla Faridpur, it is hereby notified that for the above purpose a piece of land measuring, more or less, '33 of an acre, bounded on the—

North and West—By the portion of settlement plot No. 606.

East—By the portion of settlement plot No. 623,

South—By the portion of settlement plot No. 623 and whole plots Nos. 521, 522, 623 and 524,

is likely to be required within the aforesaid village of Kulpaddi.

This notification is made, under the provisions of section 4 of Act I of 1894, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section the Governor in Council is pleased to authorize the officers for the time being engaged in the undertaking, with their servants and workmen, to enter upon and survey the land and do all other acts required or permitted by that section.

Any person interested in the above land, who has any objection to the acquisition thereof, may, within thirty days of the publication of this notification, file an objection in writing before the Collector of Faridpur.

No. 95351 L.A.—The 11th September 1925.—Whereas it appears to the Governor in Council that land is likely to be required to be taken by Government at the expense of the Madaripur Municipality for a public purpose, viz., for the location of the free primary school at Charkhagdi, in the village of Charkhagdi, pargana Jalalpur, zilla Faridpur, it is hereby notified that for the above purpose a piece of land measuring, more or less, '34 of an acre, bounded on the—

North—By the settlement plot No. 290,

East—By the settlement plots Nos. 284, 285 and 286,

South and West—By the settlement plot No. 299,

is likely to be required within the aforesaid village of Charkhagdi.

This notification is made, under the provisions of section 4 of Act I of 1894, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor in Council is pleased to authorize the officers for the time being engaged in the undertaking, with their servants and workmen, to enter upon and survey the land and do all other acts required or permitted by that section.

Any person interested in the above land, who has any objection to the acquisition thereof, may, within thirty days of the publication of this notification, file an objection in writing before the Collector of Faridpur.

No. 95417 L.A.—The 11th September 1925.—Whereas it appears to the Governor in Council that land is likely to be required to be taken by Government at the expense of the Bally Municipality for a public purpose, viz., for straightening the main outfall drain in Chhatrapur Lane, in the village of

Bally, pargana Bara, zilla Howrah, it is hereby notified that for the above purpose four pieces of land altogether measuring, more or less, 057 of an acre, bounded on the—

PLOT A :

North and West—By the land of Monmohini Debee,
South and East—By municipal drain,

PLOT B :

North and West—By municipal drain,
South—By the land of Biraj Mohini Debee and Bhut Nath Chatterjee,
East—By the land of Bhut Nath Chatterjee and municipal drain,

PLOT C :

North and West—By municipal drain,
South and East—By the land of Arundai Mukerjee,

PLOT D :

North, East and West—By municipal drain,
South—By the land of Raj Kumar Ghosh,

are likely to be required within the aforesaid village of Bally.

This notification is made, under the provisions of section 4 of Act I of 1894, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor in Council is pleased to authorise the officers for the time being engaged in the undertaking, with their servants and workmen, to enter upon and survey the land and do all other acts required or permitted by that section.

Any person interested in the above land, who has any objection to the acquisition thereof, may, within thirty days of the publication of this notification, file an objection in writing before the Collector of Howrah.

No. 9550 L.A.—The 11th September 1925.—Whereas it appears to the Governor in Council that land is likely to be required to be taken by Government at the expense of the Dacca Municipality for a public purpose, viz., for widening the approach road to Dumping Depot No. 7 at Kagjitola in the town of Dacca in mahalla Hal-Sarafatganj, pargana Jahangirnagar, zilla Dacca, it is hereby notified that for the above purpose three pieces of land altogether measuring, more or less, 0124 of an acre, bounded on the—

BLOCK I :

North, East and West—By the remaining portion of the cadastral survey plot No. 418,
South—By the land acquired for Kagjitola cartway,

BLOCK II :

North—By the remaining portion of the cadastral survey plot No. 420,
East—By the Walter Road,
South—By the land acquired for Kagjitola cartway,
West—By the land acquired for Kagjitola cartway and remaining portion of the cadastral survey plot No. 420,

BLOCK III :

North—By the land acquired for Kagjitola cartway,
East—By the Walter Road,
South—By the remaining portions of the cadastral survey plots Nos. 416, 415 and 414,
West—By the cadastral survey plot No. 411 and remaining portion of the cadastral survey plot No. 414

are likely to be required within the aforesaid mahalla of Hal-Sarafatganj in the town of Dacca.

This notification is made, under the provisions of section 4 of Act I of 1894, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section the Governor in Council is pleased to authorize the officers for the time being engaged in the undertaking, with their servants and workmen, to enter upon and survey the lands and do all other acts required or permitted by that section.

Any person interested in the above lands, who has any objection to the acquisition thereof, may, within thirty days of the publication of this notification, file an objection in writing before the Collector of Dacca.

No. 9592 L.A.—The 12th September 1925.—Whereas it appears to the Governor in Council that land is likely to be required to be taken by Government at the public expense for a public purpose, viz., for the Sergeant's quarters and Armoury for "B" Squadron Chota Nagpur Regiment A. F., in the Asansol Municipality, pargana Shergarb, zilla Burdwan, it is hereby notified that for the above purpose a piece of land measuring, more or less, 0.36 of an acre, bounded on the—

North and West—By Messrs. Apcar & Co.'s lands,

East and South—By Messrs. Apcar & Co.'s land and land already acquired for Chota Nagpur Regiment,

is likely to be required within the aforesaid Asansol Municipality.

This notification is made, under the provisions of section 4 of Act I of 1894, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor in Council is pleased to authorize the officers for the time being engaged in the undertaking, with their servants and workmen, to enter upon and survey the land and do all other acts required or permitted by that section.

Any person interested in the above land, who has any objection to the acquisition thereof, may, within thirty days of the publication of this notification, file an objection in writing before the Collector of Burdwan.

No. 9906 L.A.—The 14th September 1925.—Whereas it appears to the Governor in Council that land is likely to be required to be taken by Government at the expense of the Pabna Municipality for a public purpose, viz., for widening the Ataikula road, in the village of Salgaria, pargana Bajourah Nazirpur, zilla Pabna, it is hereby notified that for the above purpose a piece of land measuring, more or less, .004 of an acre, bounded on the—

North—By the land of Babu Anath Baudhu's Shaha's waste land,

East—By the Municipal road named Thana road,

South—By the Municipal road named Ataikula road

West—By the Sundar Shah's tin shed and Ataikula road side,

is likely to be required within the aforesaid village of Salgaria.

This notification is made, under the provisions of section 4 of Act I of 1894, to all whom it may concern.

In exercise of the power conferred by the aforesaid section, the Governor in Council is pleased to authorize the officers for the time being engaged in the undertaking, with their servants and workmen, to enter upon and survey the land and do all other acts required or permitted by that section.

Any person interested in the above land, who has any objection to the acquisition thereof, may, within thirty days of the publication of this notification, file an objection in writing before the Collector of Pabna.

No. 9909 L.A.—The 14th September 1925.—Whereas it appears to the Governor in Council that land is likely to be required to be taken by Government at the expense of the District Board, Bakarganj, for a public purpose, viz., for excavating a tank in the village of Dhawa, pargana Silemahad, zilla Bakarganj, it is hereby notified that for the above purpose a piece of land measuring, more or less, 3 bighas 8 cottaks and 12½ chittaks of standard measurement, equivalent to 1.11 acres, bounded on the—

North—By part of plots Nos. 1414 and 1415,

East—By part of plots Nos. 1414, 1459 and 1458,

South—By plot No. 1456,

West—By part of plot No. 1415 and plot No. 1457,

is likely to be required within the aforesaid village of Dhawa.

This notification is made, under the provisions of section 4 of Act I of 1894, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor in Council is pleased to authorize the officers for the time being engaged in the undertaking, with their servants and workmen, to enter upon and survey the land, and do all other acts required or permitted by that section.

Any person interested in the above land, who has any objection to the acquisition thereof, may, within thirty days of the publication of this notification, file an objection in writing before the Collector of Bankarganj.

No. 6611 L.A.—The 14th September 1925. Whereas it appears to the Governor in Council that land is likely to be required to be taken by Government at the expense of the District Board of Bakarganj for a public purpose, viz., for excavating a tank in the village of Gokhali, parganas Chandradwip, Tappe Sultanabad and Bakarganj zilla Bakarganj, it is hereby notified that for the above purpose a piece of land measuring, more or less, 3 bighas 8 cottahs and 12½ chittaks of standard measurement, equivalent to 1.14 acres, bounded on the—

North and South—By parts of plots Nos. 4772, 4795 and 4796,

East—By plot No. 4797,

West—By part of plot No. 4772,

is likely to be required within the aforesaid village of Gokhali.

This notification is made, under the provisions of section 4 of Act I of 1894, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor in Council is pleased to authorize the officers for the time being engaged in the undertaking, with their servants and workmen, to enter upon and survey the land and do all other acts required or permitted by that section.

Any person interested in the above land, who has any objection to the acquisition thereof, may, within thirty days of the publication of this notification, file an objection in writing before the Collector of Bakarganj.

No. 9620 L.A.—The 14th September 1925.—The Governor in Council is pleased to cancel the notification No. 6791 L.A., dated the 4th August 1924, under section 4 of the Land Acquisition Act, I of 1894, published at page 1433, Part I of the *Calcutta Gazette* of the 6th idem in respect of the proposed acquisition of a piece of land measuring, more or less, 3 bighas 8 cottahs and 12½ chittaks of standard measurement, equivalent to 1.14 acres, required by the Bakarganj District Board for execution of a tank in the village of Chitra, pargana Sundarban, zilla Bakarganj.

No. 9623 L.A.—The 14th September 1925.—The Governor in Council is pleased to cancel the notification No. 10459 L.A., dated the 15th December 1924, published under section 4 of the Land Acquisition Act, I of 1894, at pages 2108-2109, Part I of the *Calcutta Gazette* of the 18th idem, in respect of the proposed acquisition of the three pieces of land altogether measuring, more or less, 0.0085 of an acre, which were required by the Corporation of Calcutta for rounding off the corners at Sankar Halder Lane in ward No. 11 of the Calcutta Municipality in the town of Calcutta.

No. 9626 L.A.—The 14th September 1925.—Whereas it appears to the Governor in Council that land is likely to be required to be taken by Government at the expense of the District Board of the 24-Parganas for a public purpose, viz., for a drain near Bhadra's house at Khaksara in the village of Dakhin Barasat *alias* Kalikapur, jurisdiction list No. 64 of thana Joy nagar, pargana Baridhati, zilla 24-Parganas, it is hereby notified that for the above purpose a piece of land measuring, more or less, 0.0344 of an acre, bounded on the—

North—By the lands of Ananda Prasad Bhattacharji and others, Satis Chandra Chakravarty and others and Nil Ratan Chakravarty and by the existing drain,

East and West—By the lands of Ananda Prasad Bhattacharji and others, and Satis Chandra Chakravarty and others, and Nil Ratan Chakravarty,

South—By the lands of Satis Chandra Chakravarty and others, Nil Ratan Chakravarty and by the existing drain,

is likely to be required within the aforesaid village of Dakhin Barasat *alias* Kalikapur.

This notification is made, under the provisions of section 4 of Act I of 1894, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor in Council is pleased to authorize the officers for the time being engaged in the undertaking, with their servants and workmen, to enter upon and survey the land and do all other acts required or permitted by that section.

Any person interested in the above land, who has any objection to the acquisition thereof, may, within thirty days of the publication of this notification, file an objection in writing before the Collector of the 24-Parganas.

No. 9632 L.A.—The 14th September 1925.—Whereas it appears to the Governor in Council that land is likely to be required to be taken by Government at the expense of the Madaripur municipality for a public purpose, viz., for the location of the free primary school at Char Madan Roy, in the village

of Char Madan Roy, pargana Madaripur, zilla Faridpur, it is hereby notified that for the above purpose a piece of land measuring, more or less, 33 of an acre, bounded on the—

North—By the settlement plot No. 52, mauza Char Madaripur,

East—By the settlement plots Nos. 113 and 72,

South—By the settlement plot No. 111,

West—By the portion of settlement plot No. 70,

is likely to be required within the aforesaid village of Char Madan Roy.

This notification is made, under the provisions of section 4 of Act I of 1891, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor in Council is pleased to authorise the officers for the time being engaged in the undertaking, with their servants and workmen, to enter upon and survey the land and do all other acts required or permitted by that section.

Any person interested in the above land, who has any objection to the acquisition thereof, may, within thirty days of the publication of this notification, file an objection in writing before the Collector of Faridpur.

W. S. HOPKINS,

Secretary to the Government of Bengal.

DECLARATION.

No. 95211.L.A. The 10th September 1925.—Whereas it appears to the Governor in Council that land is required to be taken by Government at the expense of the District Board of Bakarganj for a public purpose, viz., for the excavation of a tank at Angulkata, in the village of Angulkata, pargana Bazaragumulpur, zilla Bakarganj, it is hereby declared that for the above purpose a piece of land measuring, more or less, 1.55 acres, bounded on the—

North—By part of settlement plots Nos. 7843 and 7891 and remaining portion of plots Nos. 7851, 7894 and 7892.

East—By parts of settlement plots Nos. 7891 and 7855.

South—By settlement plots Nos. 7854 and 7852 and parts of plots Nos. 7843 and 7891 and remaining part of plot No. 7855.

West—By settlement plot No. 7852 and part of plot No. 7843.

is required within the aforesaid village of Angulkata.

This declaration is made, under the provisions of section 6 of Act I of 1894, to all whom it may concern.

A plan of the land may be inspected in the office of the Collector of Bakarganj.

W. S. HOPKINS,

Secretary to the Government of Bengal.

DECLARATION.

No. 9524 L.A. The 10th September 1925.—Whereas it appears to the Governor in Council that land is required to be taken by Government at the public expense for a public purpose, viz., for Assistant Sub-Inspector's quarters in the village of Kantasole, pargana Chhatna, zilla Bankura, it is hereby declared that for the above purpose a piece of land measuring, more or less, 6 cottahs and 10 chitaks of standard measurement, equivalent to 11 of an acre, bounded on the—

North—By Jina tank, record-of-rights plot No. 835,

East—By the lands of Mohesh Chandra, Sripati Lal, Radha Ballav and Bhadr Lal Deghoria, record-of-rights plot No. 834,

South—By drain of Bankura-Raghunathpore Road, record-of-rights plot No. 1000,

West—By the land of Bohari Lal and Jiban Chandra Deghoria record-of-rights plot No. 832,

is required within the aforesaid village of Kantasole.

This declaration is made, under the provisions of section 6 of Act I of 1894, to all whom it may concern.

A plan of the land may be inspected in the office of the Collector of Bankura.

W. S. HOPKINS,

Secretary to the Government of Bengal.

DECLARATION.

No. 3527 L.A.—The 10th September 1925.—Whereas it appears to the Governor in Council that land is required to be taken by Government at the public expense for a public purpose, viz., for the excavation of the underground cells near the Gunti Gate at Gour in mauza Chaigarah or Chaingudh, pargana Bhatia Gopalpur, zilla Malda, it is hereby declared that for the above purpose a piece of land measuring, more or less, .358 of an acre bounded on the—

North—By the land of Firingi Biswas and Gunti Gate,

East—By the land of Jianath Mollah,

South—By the land of Jinnath Mollah,

West—By the land of Jinnath Mollah and Chika mosque.

is required within the aforesaid mauza of Chaigarah or Chaingudh.

This declaration is made, under the provisions of section 6 of Act I of 1894, to all whom it may concern.

A plan of the land may be inspected in the office of the Collector of Malda.

W. S. HOPKINS,

Secretary to the Government of Bengal.

DECLARATION.

No. 3558 L.A.—The 11th September 1925.—Whereas it appears to the Governor in Council that land is required to be taken by Government at the expense of the Chittagong Municipality for a public purpose, viz., for a night-soil depot at Paltan, Muchipara, in the village of Kismat Jaipahar police-station Kotwah, zilla Chittagong, it is hereby declared that for the above purpose a piece of land measuring, more or less, 0.46 kais of standard measurement, equivalent to .18 of an acre, bounded on the—

North—By cadastral survey plots Nos. 245 and 60 and part of cadastral survey plot No. 109,

East—By part of cadastral survey plot No. 109,

South—By remaining portion of cadastral survey plot No. 111,

West—By Chatteswari Road,

is required within the aforesaid village of Kismat Jaipahar.

This declaration is made, under the provisions of section 6 of Act I of 1894, to all whom it may concern.

A plan of the land may be inspected in the office of the Collector of Chittagong.

W. S. HOPKINS,

Secretary to the Government of Bengal.

DECLARATION.

No. 3562 L.A.—The 11th September 1925.—Whereas it appears to the Governor in Council that land is required to be taken by Government at the expense of the Howrah Municipality for a public purpose, viz., for widening Madhusudan Biswas Lane, in the village of Howrah, pargana Boro, zilla Howrah, it is hereby declared that for the above purpose three pieces of land altogether measuring, more or less, .045 of an acre, bounded on the—

PLOT NO. I:

North—By land of Mahendra Nath Ghosh,

East—By land of Mahendra Nath Ghosh and others,

South and West—By Madhusudan Biswas Lane,

PLOT NO. II:

North—By land of Jogendra Nath Kundu,

East—By dwelling house of Nani Lal Mitter,

South—By Madhusudan Biswas Lane,

West—By dwelling house of Mohamed Rafique,

PLOT No. III:

North—By land of Parosh Nath Banerjee.

East—By Madhusudan Biswas Lane.

South—By land of Parosh Nath Mukherjee and Rama Nath Das.

West—By house of Lakshmi Nath Datta and Madhusudan Biswas Lane.

are required within the aforesaid village of Howrah.

This declaration is made, under the provisions of section 6 of Act I of 1894, to all whom it may concern.

A plan of the land may be inspected in the office of the Collector of Howrah.

W. S. HOPKINS,

Secretary to the Government of Bengal.

DECLARATION.

No. 26141.L.A.—The 14th September 1925.—Whereas it appears to the Governor in Council that land is required to be taken by Government at the public expense for a public purpose, viz., for the permanent headquarters of the Public Vehicles Department at Ballygunge, in the village of Ballygunge pargana Dibi Panchanagram, zilla 24-Parganas, it is hereby declared that for the above purpose a piece of land being premises Nos. 14 and 15, Prannath Pandit Street, measuring, more or less 1 bigha 6 cottahs 12 chitaks and 10 square feet of standard measurement, equivalent to 1422 of an acre, bounded on the—

North—By public drain.

East and South—By the land already acquired under declaration No. 6991.L.A., dated the 19th January 1915, for David Hare Training College.

West—By the land acquired under declaration No. 6991.L.A., dated the 19th January 1915, for David Hare Training College and Prannath Pandit Street.

is required within the aforesaid village of Ballygunge.

This declaration is made under the provisions of section 6 of Act I of 1894, to all whom it may concern.

A plan of the land may be inspected in the office of the Land Acquisition Collector, 2, Commercial Buildings, Calcutta.

W. S. HOPKINS,

Secretary to the Government of Bengal.

DECLARATION.

No. 26521.L.A.—The 14th September 1925.—Whereas it appears to the Governor in Council that land is required to be taken by Government at the expense of the District Board of Burdwan for a public purpose, viz., for a road from Debipur to Sultanpur, in the villages of Matiswar, Mainaguri, Barjala and Sultanpur, pargana Ranibati, zilla Burdwan, it is hereby declared that for the above purpose a strip of land measuring, more or less, 8.28 acres, starting from the end of Sitarambati and running through the villages Matiswar, Mainaguri, Barjala and Sultanpur and ending opposite to Sultanpur hospital compound, with a length of 5,607 feet and a uniform breadth of 60 feet running in the north-eastern direction from Debipur to Sultanpur and bounded on the—

Fifth mile of the road:

North—By the paddy lands of Aziz Malik, Phakir Naik, Paritosh Baisnabi, waste land of Tulsi Das Kumar, ugla, and waste land of Tulsi Das Kumar.

East—By the existing village road and waste land of Tulsi Das Kumar.

South—By the paddy lands of Panchu Hari, Phakir Naik, Nibao Shaikh, Paritosh Baisnabi, Phakir Naik, waste land of Tulsi Das Kumar, ugla, and waste land of Tulsi Das Kumar.

West—By the paddy lands of Aziz Malik and Panchu Hari.

Fourth mile of the road.

North—By the paddy lands of Judhisir Ghosh, Priya Sarkar, Sashi Ghosh, Akshoy Mukherjee, Tara Dasi, Gagan Nath Goswami, waste land of Abdul Sattar, river Bahula or Banka, nalla, waste land of Abdul Sattar, Atul Karmakar, paddy land of Nani Gopal Bhattacharjee, Phakir Mukherjee, Tulsi Ghosh, Satya Roy, Tulsi Ghosh, Taran Ghosh, Atul Karmakar, patit land of Abdul Sattar, paddy land of Taran Ghosh, Tulsi Ghosh, Tej Mukherjee, Taran Ghosh, Tulsi Ghosh, Osman Shaik, Panchu Shaik, Email Shaik, Tulsi Ghosh, Naba Shaik, Priya Sarkar, Ichnu Shaik, Tulsi Ghosh, Rajendra Roy, Manglu Shaik, Nani Gopal Bhattacharjee, Ashu Kumar, Ichnu Shaik, Nakman Shaik, and Esmatan Bibi,

East—By the paddy land of Panchu Hari and Esmatan Bibi,

South—By the paddy lands of Judhisir Ghosh, Priya Sarkar, Sashi Ghosh, Akshoy Mukherjee, Tara Dasi, Gagan Nath Goswami, waste land of Abdul Sattar, river Bahula, or Banka, nalla, waste land of Abdul Sattar, Atul Karmakar, paddy lands of Nani Gopal Bhattacharjee, Phakir Mukherjee, Tulsi Ghosh, Satya Roy, Tulsi Ghosh, Taran Ghosh, Atul Karmakar, patit land of Abdul Sattar, paddy land of Tulsi Ghosh, Hari Santra, Taran Ghosh, Osman Shaik, Satya Banerjee, Email Shaik, Hari Santra, Naba Shaikh, Hari Santra, Tulsi Ghosh, Rajendra Roy, Manglu Shaik, Ashu Kumar, Manglu Shaikh, Bhola Nath Pan, Esmatan Bibi and Panchu Hari,

West—By the paddy land of Kali Dasi or boundary of Matiswar village,

is required within the aforesaid villages of Matiswar, Mainaguri, Bartala and Sultanpur.

This declaration is made, under the provisions of section 6 of Act I of 1894, to all whom it may concern.

A plan of the land may be inspected in the office of the Collector of Burdwan.

W. S. HOPKINS,

Secretary to the Government of Bengal.

FORESTS.

NOTIFICATION.

No. 9538 For.—*The 11th September 1925.*—Babu Rakhal Chandra Sarkar, Extra Assistant Conservator of Forests, Sundarbans Division, is granted leave on average pay, under rule 81 (b) (ii) of the Fundamental Rules, for seven days with effect from the 3rd August 1925.

W. S. HOPKINS,

Secretary to the Government of Bengal.

Orders by the Conservator of Forests, Bengal.

No. 4 For.—*The 5th September 1925.*—On return from the leave granted to him in Revenue Department notification No. 446T-B, dated the 28th August 1925, Mr. M. A. T. Marchant, Extra Assistant Conservator of Forests, is attached to the Buxa Division with headquarters at Rajabhatkhawa.

E. O. SHERRERE,

Conservator of Forests, Bengal (offg.).

TREASURY NOTICE.

Orders by the Deputy Accountant-General, Bengal.

It is notified that the Income-tax Officer, Military Circle, Meerut, will very shortly bring into use the refund order book No. 1567 of blue colour with of 50 vouchers.

U. L. BANERJEE,

Deputy Accountant-General, Bengal.

CALCUTTA, the 16th September 1925.

SHERIFF'S OFFICE, TWO AND SEPTEMBER 1925.

NOTICE is hereby given that the Fifth Criminal Sessions of the year 1925 of the High Court of Judicature at Fort William in Bengal for the Town of Calcutta and Factory of Fort William, and the places subordinate thereto, will be held at the Court House, in the Town of Calcutta, on Monday, the twenty-third day of November next, at 11 o'clock in the forenoon and thenceforward from day to day until the said Sessions be over. And it is hereby proclaimed that all persons who are to prosecute any of the prisoners to be brought up for trial at the said Sessions be present then and there to prosecute.

ONKARMULL JATIA, Sheriff.

সরিক আফিস, দুই আশুপত্র ১৯২৫ সাল তারিখ বরা সেপ্টেম্বর।

সকলকে সমাচার দেওয়া যাউতেছে যে শ্রবে বাঙ্গালার ফোর্ট উইলিয়ম ফ্যাক্টরীর অধীন নগর কলিকাতার ও অন্যান্য স্থানের ফৌজদারী বিচার নিষ্পত্তি কর্তৃক আগামী মাস ১৯২৫ সালের ২৩শে নবেম্বর সোমবার বেলা ১১ ঘটিকার সময় এখানে পুনরায় সেশনসের কার্য শেষ না হইতে প্রতিদিন উক্ত সময়ে কলিকাতার হাইকোর্টের আপন আদালত ঘরে মাস ১৯২৫ সালের পঞ্চম ক্রিমিনেল সেশনসে বসিবেন, এবং এতদ্বারা প্রচার করা যাউতেছে যে, যে সকল ব্যক্তি কোন কয়েদীর বিরুদ্ধে ফৌজদারী মিছিল করিবেন তাহারা উক্ত স্থানে উক্ত সময়ে কাছির থাকিয়া যোগদান করে, ইতি।

ওফিসারমূল জেটিয়া, সরিক।

HIGH COURT NOTICE.

ENGLISH DEPARTMENT - Civil and Criminal.

The 11th September 1925.

No. 120307. - The following Circular Orders having been framed by the High Court of Judicature at Fort William in Bengal and approved by the Governor-General in Council, under section 107 of the Government of India Act, are published for general information.

By order of the High Court,

H. C. STORK,

Registrar.

Circular Order.

CIVIL.

Insert the following at the end of Rule 54 (b), Chapter I, Volume I of the Court's General Rules and Circular Orders (Civil) :-

- "unless he can satisfy the Court that his attendance was delayed by unavoidable circumstances".

Circular Order.

CRIMINAL.

Insert the following at the end of Rule 77, Chapter I, Volume I of the Court's General Rules and Circular Orders, Criminal :-

- "unless he can satisfy the Court that his attendance was delayed by unavoidable circumstances".

ORDERS BY COMMISSIONERS OF DIVISIONS.

NOTIFICATION.

No. 5070J. - Maulvi A. M. K. Khalilur Rahman Khadim, probationary Sub-Deputy Collector, Jalpaiguri, is allowed leave on average pay for nine days, under rule 51(4)(f) of the Fundamental Rules, with effect from the 11th September 1925.

J. A. L. SWAN, Commissioner (offg.).

RAJSHAHI DIVISION, JALPAIGURI the 7th September 1925.

NOTIFICATION.

No. 3074J.—Babu Jogendra Nath Maitra, Sub-Deputy Collector, Jalpaiguri, is allowed leave on average pay for thirteen days, under rule 81 (b) (ii) of the Fundamental Rules, with effect from the 3rd October 1925.

J. A. L. SWAN, Commissioner (offg.).

RAJSHAHI DIVISION, JALPAIGURI, the 7th September 1925.

NOTIFICATION.

No. 3078J.—Babu Dharendra Nath Khan, Sub-Deputy Collector, Naogaon, Rajshahi, is allowed leave on average pay for seven days, under rule 81 (b) (ii) of the Fundamental Rules, with effect from 3rd October 1925.

J. A. L. SWAN, Commissioner (offg.).

RAJSHAHI DIVISION, JALPAIGURI, the 7th September 1925.

NOTIFICATION.

No. 1673R.G.—Babu Satish Chandra Bose, Sub-Deputy Collector, on probation, and Circle Officer at the headquarters station of the district of Nadia, is allowed leave on average pay for twenty-eight days from 23rd August 1925 to 19th September 1925 under rule 81 (b) (i) of the Fundamental Rules.

F. A. SACHSE, Commissioner.

PRESIDENCY DIVISION, CALCUTTA, the 9th September 1925.

NOTIFICATION.

No. 1678R.G.—Maulvi Khundkar Ali Tahir, Sub-Deputy Collector, Krishnagar, Nadia, is appointed temporarily to be a Circle Officer at the headquarters station of the district.

F. A. SACHSE, Commissioner.

PRESIDENCY DIVISION, CALCUTTA, the 9th September 1925.

NOTIFICATION.

No. 4136G.—Maulvi Kazi Muhammad Mahiuddin, Sub-Deputy Collector, on leave, is posted to the headquarters station of the Tippera district.

J. N. ROY, Commissioner (offg.).

CHITTAGONG DIVISION, CHITTAGONG, the 9th September 1925.

NOTIFICATION.

No. 4539J.—Maulvi Mir Hussein, Sub-Deputy Collector, is appointed to be Circle Officer of Sadar South circle in the district of Mymensingh.

A. H. CLAYTON, Commissioner.

DACCA DIVISION, DACCA, the 10th September 1925.

NOTIFICATION.

No. 2440J.G.—Maulvi Muhammad Yahya, Sub-Deputy Magistrate and Sub-Deputy Collector, Asansol, Burdwan, is allowed leave on average pay from 14th to 19th September 1925, under article 81 (b) (ii) of the Fundamental Rules.

A. W. COOK, Commissioner (offg.).

BURDWAN DIVISION, CHINSURA, the 13th September 1925.

NOTIFICATION.

No. 4215G.—Babu Nishikanta Basu, Sub-Deputy Collector, Tippera, is transferred to the headquarters station of the Chittagong district and appointed to have charge of the Sadar Khas tahsil of that district.

J. N. ROY, Commissioner (offg.).

CHITTAGONG DIVISION, CHITTAGONG, the 15th September 1925.

NOTIFICATION.

No. 4222G.—Babu Surendra Nath Banerji, No. 11, Sub-Deputy Collector, who has recently been posted to this division in Government notification No. 10461A., dated the 5th September 1925, is posted to Tippera and appointed to be a Circle Officer in the Sadar subdivision of the same district.

J. N. ROY, Commissioner (offg.).

CHITTAGONG DIVISION, CHITTAGONG, the 12th September 1925.

NOTIFICATION.

No. 4194G.—Maulvi Abdul Hai, probationary Sub-Deputy Magistrate, Noakhali, is appointed temporarily to act as Circle Officer, Feni, during the absence, on leave, of Maulvi Amir Ali.

J. N. ROY, Commissioner (offg.).

CHITTAGONG DIVISION, CHITTAGONG, the 12th September 1925.

NOTIFICATION.

No. 4418J.—Maulvi Abul Huda Sayeedullah, Sub-Deputy Collector, on leave, is appointed to be Circle Officer of the Bajitpur circle in the district of Mymensingh.

A. H. CLAYTON, Commissioner.

DACCA DIVISION, DACCA, the 10th September 1925.

NOTIFICATION.

No. 1694R.G.—Maulvi Samiroddin Bhuiyan, Sub-Deputy Collector, Jessore Sadar, is appointed to be a Circle Officer and transferred to Chuadanga subdivision of the Nadia district.

F. A. SACHSE, Commissioner.

PRESIDENCY DIVISION, CALCUTTA, the 11th September 1925.

NOTIFICATION.

It is hereby notified for general information that under rule 32 of the Election Rules framed under section 138 (a) of the Bengal Local Self-Government Act, III (B. C.) of 1885, the 21st October 1925 is fixed for holding bye-election of a member for the Serampore local board, in the district of Hooghly, for group No. XV of Tarakeswar thana to fill up the vacancy caused by the removal of Babu Probbhat Chandra Giri.

S. N. ROY, Magistrate (offg.).

CHINKURA, the 4th September 1925.

NOTIFICATION.

No. 2196H.—In exercise of the power conferred upon me by section 25 of the Bengal Local Self-Government Act (III of 1885), as amended by Act V (B. C.) of 1906, I approve the election by the members of the Sarajgarh local board, in the district of Pabna, of Babu Francesh Chandra Sen to be their Chairman.

J. A. L. SWAN, Commissioner (offg.).

RAJSHAHI DIVISION, JALPAIGURI, the 21st September 1925.

NOTIFICATION.

No. 2193M.—In exercise of the power conferred on me by clause (2) of section 26 of the Bengal Local Self-Government Act (III of 1885), as amended by Act V (B. O.) of 1908, I appoint Maulvi Asharali, B.L., to be Vice-Chairman of the Pabna local board in the district of Pabna.

J. A. L. SWAN, Commissioner (offg.).

RAJSHAHI DIVISION, JALPAIGURI, the 8th September 1925.

NOTIFICATION.

No. 2196M.—In exercise of the power conferred on me by the second clause of section 25 of the Bengal Local Self-Government Act (III of 1885), as amended by Act V (B. O.) of 1908, I appoint Babu Lalit Mohan Saha to be Chairman of the Pabna local board in the district of Pabna.

J. A. L. SWAN, Commissioner (offg.).

RAJSHAHI DIVISION, JALPAIGURI, the 8th September 1925.

NOTIFICATION.

No. 2199M.—It is hereby notified for general information that, under section 7 of the Bengal Local Self-Government Act, III of 1885, as amended by Act V (B. C.) of 1908, the following gentlemen have been elected by the Sirajganj local board to be members of the District Board of Pabna :—

- | | |
|----------------------------------|---------------------------------------|
| 1. Maulvi Khaliluddin Talukdar. | 6. Maulvi Nuruddin Rukani. |
| 2. „ Mahjuddin Khan. | 7. „ Baburahi Meen. |
| 3. „ Torabuddin Ahmed. | 8. „ Syed Akbarali. |
| 4. „ Muhammad Ebrahim Hosen. | 9. Khan Sahib Maulvi Muazzamali Khan. |
| 5. „ Muhammad Sadekali Talukdar. | |

2. The Pabna local board having failed to elect members to the District Board within the time prescribed by rule 54 of the election rules, I appoint the following gentlemen to be members of the said District Board under section 10 of the Local Self-Government Act :—

- | | |
|--|---------------------------------------|
| 1. Babu Lalit Mohan Saha. | 4. Babu Krishna Gobinda Sikdar. |
| 2. Khan Bahadur Wasimuddin Ahmed, B.L. | 5. Maulvi Aftabuddin Ahmed, B.L. |
| 3. Maulvi A. M. Abdul Hamid. | 6. „ Azharali, B.L. |
| | 7. Babu Jogesh Chandra Ray Chaudhury. |

3. I appoint the following gentlemen to be members of the said board under section 7 of the Act :—

- | | |
|---|----------------------|
| 1. The Subdivisional Officer, Sirajganj | } <i>Ex officio.</i> |
| 2. The Civil Surgeon, Pabna | |
| 3. The District Inspector of Schools, Pabna | |
| 4. Babu Radhika Bhushan Ray. | |
| 5. Rai Sahib Pramatha Narayan Chaudhury. | |
| 6. Rai Jadab Chandra Bhattacharji Bahadur. | |
| 7. Rai Sahib Upendra Lal Pukrashi. | |
| 8. Babu Ranajit Chandra Lahiri, M.A., B.L. | |

J. A. L. SWAN, Commissioner (offg.).

RAJSHAHI DIVISION, JALPAIGURI, the 8th September 1925.

NOTIFICATION.

No. 15Mol.—In exercise of the power conferred upon me by section 25 of the Bengal Local Self-Government Act (III of 1885), as amended by Act V (B. C.) of 1908, I approve the election by the members of the Kurigram local board, in the district of Rangpur, of Maulvi Dalaluddin Ahmed to be their Chairman.

J. A. L. SWAN, Commissioner (offg.).

RAJSHAHI DIVISION, DARSILEZO, the 11th September 1925.

NOTIFICATION.

No. 1846C.—In exercise of the power conferred upon me by section 25 of the Bengal Local Self-Government Act (III of 1885), as amended by Act V (H. O.) of 1908, I approve the election, by the members of the Sadar local board, in the district of Rangpur, of Maulvi Shah Abdul Quader to be their Chairman.

J. A. L. SWAN, *Commissioner (offg.)*.

RAJSHAHI DIVISION, DARJEELING, the 11th September 1925.

NOTIFICATION.

No. 2241M.—In exercise of the power conferred on me by clause (2) of section 19 of the Local Self-Government Act (Bengal Act III of 1885), as amended by Act V (B. C.) of 1908, and acting under the orders of the Local Government given in the exercise of the administrative control vested in them by section 29-B of the same Act, I appoint Babu Protap Chandra Gupta to be a member of the Balurghat local board in the district of Dinajpur, *vice* Babu Debendragati Ray, resigned.

J. A. L. SWAN, *Commissioner (offg.)*.

RAJSHAHI DIVISION, JALPAIGURI, the 12th September 1925.

NOTIFICATION.

No. 4417J.—It is hereby notified for general information that under section 13 of the Bengal Village Self-Government Act V of 1919, Babu Jogesh Chandra Ganguli has been appointed by the Magistrate of Dacca to be a member of the Baniajuri union board in Gheor police-station in Manikganj subdivision of the district of Dacca, *vice* Babu Rebati Mohan Choudhury, removed.

A. H. CLAYTON, *Commissioner*.

DACCA DIVISION, DACCA, the 5th September 1925.

NOTIFICATION.

No. 4488J.—It is hereby notified for general information that, under section 13 of the Bengal Village Self-Government Act, V of 1919, Babu Ramani Mohan Saha Mandal has been elected to be a member of the Bhagyakul union board in Srinagar police-station in Munshiganj subdivision of the district of Dacca, *vice* Babu Sarat Kumar Bose, deceased.

A. H. CLAYTON, *Commissioner*.

DACCA DIVISION, DACCA, the 9th September 1925.

NOTIFICATION.

No. 1732 L.S.-G.—It is hereby notified for general information that, under sub-section (2) of section 6 of the Bengal Village Self-Government Act, the following gentlemen have been appointed by the District Magistrate of Burdwan to be members of the Sakari union board in police-station Khandghosh, in the Sadar subdivision of the district of Burdwan:—

SAKARI UNION BOARD.

1. Maulvi Molla Mainuddin.
2. Babu Kedar Nath Ghosh.
3. Babu Ekkari Sarkar.

2. This cancels paragraph 2 of this office notification No. 1177 L.S.-G., dated the 24th June 1925, published at page 1086, Part I of the *Calcutta Gazette* of the 8th July 1925, so far as it relates to the Sakari union board.

A. W. COOK, *Commissioner (offg.)*.

BURDWAN DIVISION, C. INSTRA, the 9th September 1925.

NOTIFICATION.

No. 143L.S.-G.—It is hereby notified for general information that in exercise of the power conferred by section 41 of the Local Self-Government Act, III (B. C.) of 1885, as amended, I appoint Babu Pramad Nath Parkait of Diamond Harbour to be a member of the Diamond Harbour union committee in place of Babu Kedar Nath Chakraborty, deceased.

F. A. SACHSE, *Commissioner.*

PRESIDENCY DIVISION, CALCUTTA, the 9th September 1925.

NOTIFICATION.

No. 143L.S.-G.—It is hereby notified for general information that under section 13 of the Bengal Village Self-Government Act, V of 1919, read with rule 39 of the rules for the election and appointment of members and of union boards under the said Act, Munshi Joadali Mandal has been appointed by the District Magistrate of Nadia to be a member of the Juranpur union board in thana Kahganj in the Sadar subdivision of the Nadia district, *vice* Babu Dharma Das Saanyal, resigned.

F. A. SACHSE, *Commissioner.*

PRESIDENCY DIVISION, CALCUTTA, the 11th September 1925.

NOTIFICATION.

No. 4534J.—Whereas on consideration of the views of the District Magistrate and the District Board of Dacca, I am of opinion that the Toke union board in the Sadar (North) subdivision of the district of Dacca is not competent to perform the duties imposed upon it under the Bengal Village Self-Government Act, 1919 (Bengal Act V of 1919), namely, (a) to secure the regular payment of dafadars and chaukidars of the union and (b) to perform other duties with regard to public works and sanitation, I hereby supersede, under section 56 (1) (b) of the aforesaid Village Self-Government Act, the said union board for a period of six months from the date of this notification and direct under section 57 (a) (b) and (c) of the said Act that all the powers and duties of the said union board shall, during the period of supersession, be exercised and performed by the Circle Officer of the circle concerned, assisted by (1) Munshi Muhammad Aliulla Sarkar and (2) Babu Harn Nath Chakravarty of Toke, of whom No. 1 will act as tahsildar, and all property vested in the said union board shall, during this period, vest in the said officer and persons.

A. H. CLAYTON, *Commissioner.*

DACCA DIVISION, DACCA, the 10th September 1925.

NOTIFICATION.

No. 4537J.—It is hereby notified for general information that, under section 13 of the Bengal Village Self-Government Act, V of 1919, the following gentlemen have been duly elected to be members of the Tetuljhora union board in police-station Sabhar in Sadar (North) subdivision of the district of Dacca:—

Ward No. I.

Babu Khetra Mohan Gope, *vice* Babu Hira Lal Saha, removed.
Babu Bepin Behari Saha, *vice* Babu Bhupendra Prasad Chakraborty, removed.

Ward No. II.

Babu Nibaran Chandra Barari, *vice* Babu Nagendra Mohan Chaudhuri, removed.

A. H. CLAYTON, *Commissioner.*

DACCA DIVISION, DACCA, the 11th September 1925.

NOTIFICATION.

No. 2258M.—It is hereby notified for general information that the following gentlemen have been appointed by the District Magistrate of Rajshahi to be members of the Kopara union board, in the district of Rajshahi, under sub-section (4) of section 6 of the Bengal Village Self-Government Act (V. of 1919):—

Munshi Muhammad Boyenuddin,
Muhammad Jabulla Sarker.
Muhammad Hasamali Manjhi.

Muhammad Asimuddin Sha.
Muhammad Nayeruddin Mondal.
Babu Birsewar Sarker.

2 The following gentlemen have been appointed by the District Magistrate of Rajshahi to be members of the said union board under sub-section (3) of section 6 of the same Act:—

Babu Purua Chandra Sarker

Babu Birsewar Sarker.
Muhammad Ebadulla Molla.

J. A. L. SWAN, (Commissioner (offg).)

RAJSHAHI DIVISION, JALPAIGURI, the 12th September 1925.

CORRIGENDUM

No. 461PW.—In this office notification No. 330PW, dated the 28th July 1925, published at page 1258, Part I of the *Calcutta Gazette*, dated the 6th August 1925, for "11th mile of the Nasipur Road" read "5th mile of the Nasipur Road"

J. A. L. SWAN, (Commissioner (offg).)

RAJSHAHI DIVISION, JALPAIGURI, the 7th September 1925.

NOTIFICATION

No. 1. Mr. Basanta Kumar Mukerjee, Senior Sub-divisional Officer Malda, is appointed to be a member of the managing committee of the Malda Zilla School which was constituted under notification No. 1, dated the 6th August 1923, viz. Babu Bhabani Prasad Neogi, transferred. He will hold office till the term of the present committee expires.

J. FRODIE, Magistrate

MALDA, the 11th September 1925.

BYE-ELECTION, 1925.

24-Pargannas Municipal (Muhammadian) Constituency.

Names of duly nominated candidates.

(Regulation XXIV)

1 Qasabuddin Ahmed 2 Mahbubul Haq.
3 Mahmood Suhrawardy

A. CANNELL, District Magistrate (Returning Officer).

ALIPORE, the 24th September 1925



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PART IA.

Orders and Notifications by the Government of India republished for general information.

FOREIGN AND POLITICAL DEPARTMENT.

NOTIFICATION.

Simla, the 2nd September 1925.

No. 450G.—With the sanction of His Majesty's Government, the Governor-General in Council is pleased to recognise provisionally the appointment of Mr. J. F. Barton as Honorary Consul for the Republic of Uruguay at Calcutta.

DENYS BRAY,

Secretary to the Government of India.

ARMY DEPARTMENT.

Simla, the 4th September 1925.

PART B.

APPOINTMENTS.

AUXILIARY FORCE (INDIA).

No. 1227.—The undermentioned gentlemen are granted commissions, with effect from the dates specified:—

To be Lieutenants,

Calcutta Light Horse.

Victor Wallace Smith.
Gerald Ian Maitland-Heriot.

} Dated the 3rd July 1925.

No. 1226.—The undermentioned officer is granted the honorary rank of Lieutenant-Colonel with effect from the date specified:—

No. 1 (Calcutta) Field Company, P.E.

Major Herbert William Stovold, O.B.E., V.D. Dated the 1st January 1925.

F. BURDON,

Secretary to the Government of India.

DEPARTMENT OF EDUCATION, HEALTH AND LANDS.

NOTIFICATION.

FORESTS.

Simla, the 2nd June 1925.

No. 778.—In exercise of the powers conferred by section 213 of the Indian Merchant Shipping Act, 1923 (XXI of 1923), the Governor General in Council is pleased to direct that the following further amendment shall be made in the rules published with the Home Department notification No. 1902 (Sanitary), dated the 14th October 1910, the same having been previously published as required by sub-section (4) of the said section, namely,

For rule 57 of the said rules the following rule shall be substituted, namely,

"57. The following medicines and medical appliances shall be provided on the scale indicated below :—

Weight and measures of the British Pharmacopæia.

Names of medicines, etc.	Scale of 100 passengers.	Notes
Acidum, acetic	2 oz.	Miscellaneous articles for one hundred pilgrims.
" boricum	2 "	
" carbolicum (cryst.)	1 "	Fresh vaccine lymph 6 tubes.
" nitro-hydrochloricum dilutum	1 "	Adhesive plaster (in tin case) 1 yard.
" sulphuricum dilutum	1 "	Calico
" tannic	1 "	Flannel
" tartaricum	2 "	Lint
Aether sulphureus	1 "	Bandages (roller)
Alumen (in powder)	2 "	Paper for powders, etc.
Ammonii carbonas	2 "	Corks for bottles
" chloride	1 "	Cotton-wool (country)
Argentii nitras	1 "	Bed-pan (metal)
Bismuth subnitrate	1 "	Antiseptic gauze
Borax	1 "	Note.—The preparations of ammonia ether, chloroform, iodine, and all acids should be in well stoppered bottles.
Calcium lactate	1 "	
Calomel	1 "	
Camphora	1 "	Chloroform should be in blue glass or covered from light by dark paper.
Chlorodyne	2 "	All the drugs, etc., must be properly labelled with the quantities marked on each label.
Chloroformum	1 "	"Poisons" should be specially distinguished by labels with the word "Poison" on them.
Cocaine solution, 10 per cent.	1 "	
Copaiba	1 "	
Cressatum	1 "	
Digitalis, gr. 1/100	1 tube of 25 tablets	
Emetine hydrochloride, gr. 1/2	2 tubes of 25 tablets	Disinfectants for each ship.
Extract gentian	1 oz.	Sulphur
Glycerinum	1 "	Corrosive sublimate
Gum acacia	1 "	Phenol
Hydrargyrum cum creta	1 "	Fresh slaked lime
Hydrarg perchlor.	1 oz.	Sulphate of iron
Hypodermic tablets of morphine, gr. 1/4	1 tube of 25 tablets	
Iodoformum	1 oz.	Calvert's carbolic 15 per cent. powder. To be put up in ten hermetically sealed tins each containing 5 lbs.
Linimentum camphora compositum	2 "	Methylated alcohol
Lini farina	2 lbs. in tin cases	Hydrochloric acid
Liquid Extract of Ergot	1 oz.	Waterproof sheets

Names of medicines, etc.	Scale of 100 passengers.	Notes.
Liquor ammoniac	1 oz. ...	<i>Instruments for each ship.</i>
" ammoniac acetatis	6 " ...	Moxes, chip for ointment (1 oz. each) ... 18
" arsenicalis	1 " ...	Dispensing bottles (3 oz.) ... 12 each.
" atropinae sulphatis	1 " ...	Glass measures, 2 oz. ... 2
" calcis	1 pint ...	" " 2 drachms ... 2
" epispasticus fortior	1 oz. ...	Pestle and mortar (brass) ... 1
" morphinae hydrochloratis...	1 " ...	" " " (wedge-wood) ... 1
" strychninae hydrochlor	1 " ...	Scales and weights (grains) ... 1
Chrysarobinum	1 " ...	Spare weights (grains) ... 1 set.
Magnesia carbonas	1 " ...	Splints (common) ... 1 "
" sulphas, in tins	3 lbs. ...	Silver catheter (No. 8 size) ... 1
Oleum anisi	1 oz. ...	India-rubber catheters Nos. 2, 4, 6 & 10 ... 1 set.
" caryophylli	1 " ...	Spatula ... 1
" eucalypti	1 " ...	Scissors (shop) ... 1
" lini	1 pint ...	Penknife ... 1
" menthae piperita	1 oz. ...	Syringe, ear, powder ... 1
" ricini	2 pints ...	" enema, patent ... 1
Phenacetin	1 oz. ...	" urethral (male) ... 1
Pilula asafetida composita	1 doz. ...	" " (female) ... 1
" colocynthidis et hyoscyami	2 doz. ...	Infusion pot ... 1
" plumbi cum opio, B. P.	1 " ...	Pocket dressing case to contain 1 probe, 1 director, 1 female catheter, 1 clinical thermometer (in case), 1 pair of scissors, 1 dressing forceps (plated), 6 suture needles, 1 artery forceps, 1 Symes' abscess knife, 1 straight and 1 curved bistoury in 1 handle, 1 lancet (bleeding), silk thread for sutures (20) grains.
" scilleae composita	1 " ...	
Potassii bromidum	1 oz. ...	Steriliser for surgical instruments, small ... 1
" chloras	1 " ...	Hypodermic syringe, 20 minim ... 1
" citras	1 " ...	
" iodine	1 " ...	Tooth forceps:—
" nitra	2 " ...	Upper incisors ... 1
" permanganas	2 " ...	Lower " ... 1
Pulvis ipecacuanhae, 5-gr. powders	1 doz. ...	" molar ... 1
" " compositus,		
" in 5-gr. powders	4 doz. ...	Upper " right ... 1
" jalapae compositus	1 oz. ...	" " left ... 1
Quininae sulphas, in 5-gr. pills	12 " ...	Clinical thermometer (in addition to the one already supplied in pocket dressing case) ... 1
" " in bulk	2 " ...	
Salol	1 " ...	
Sinapis (in powder)	1 " ...	Artery forceps (in addition to the one already supplied in pocket dressing case) ... 1
Sodii bicarbonas	1 " ...	
" salicytas	1 " ...	
Spiritus aetheris nitrosi	2 " ...	Eye cup ... 1
" ammoniac armot	1 " ...	Enamelled bowl ... 1
" rectificatus	8 " ...	" tray (round) ... 1
Strychninae hydrochloride, gr. 1/100	1 tube of 25 tablets	" " (kidney shaped) ... 1
Tinctura aconiti	1 oz. ...	
" benzoinae co	1 " ...	
" camphorae co	1 " ...	
" capsici	1 " ...	
" cinchonae co	1 " ...	
" Digitalis	1 " ...	
" ferri perchloridi	1 " ...	
" hyoscyami	1 " ...	
" Iodi	1 " ...	
" lobeliae aetheris	1 " ...	
" nuxvomicae	1 " ...	
" opii	1 " ...	
" quinae ammon	1 " ...	
" senega	1 " ...	

Names of medicines, etc.	Scale of 100 pilgrims.	Notes.
Tinctura singiberis	... 1 oz.	
Tragacantha powder	... 1 "	
Unguentum hydrag ammoniatum	... 1 "	
.. hydrargyri	... 1 "	
.. simplex	... 2 "	
.. sulphuris	... 2 "	
.. zinci	... 1 "	
Utropine	... 1 "	
Vaseline	... 2 "	
Vinegar	... 1 pint.	
Vinam antimoniale	... 1 oz.	
.. ipecacuanhe	... 1 "	

Table showing the quantities of medicines, etc., to be supplied according to the above scale for more than 100 pilgrims.

Number of pilgrims.				Quantity.	
From	101 to	250 pilgrims	...	1) times	the quantity prescribed for 100 pilgrims.
"	252 to	400 "	...	Twice	
"	401 to	550 "	...	Thrice	
"	551 to	750 "	...	Four times	
"	751 to	950 "	...	Five times	
"	951 to	1,150 "	...	Six times	
"	1,151 to	1,350 "	...	Seven times	
"	1,351 to	1,550 "	...	Eight times	
"	1,551 to	1,750 "	...	Nine times	
"	1,751 to	1,950 "	...	Ten times	
"	1,951 to	2,150 "	...	Eleven times	
"	2,151 to	2,350 "	...	Twelve times	

and so on.

J. W. BHORE,

Secretary to the Government of India

RAILWAY DEPARTMENT.

RAILWAY BOARD.

Simla, the 20th August 1925.

NOTIFICATION.

No. 2681F.—In pursuance of sub-section (1), section 135 of the Indian Railways Act, 1890 (No. IX of 1890), the Governor General in Council is pleased to declare that the administration of the Eastern Bengal Railway shall be liable to pay in aid of the funds of the local authorities set out in the schedule annexed hereto the tax specified in the second column thereof:—

		Schedule.		(2)
(1)	(1)	(1)	(1)	Tax.
Divisions.	Local authorities.	Name of local authorities, etc. under boards.		Union rate.
(2)	(2)	(2)	(2)	(2)
Nadia	Hanskhali	Badkulla	...	Ditto.
		Bagula	...	Ditto.
		Mayurhat	...	Ditto.
		Sibiribash	...	Ditto.
	Krishnaganj	Majdia	...	Ditto.
		Taldaha	...	Ditto.
		Banpur	...	Ditto.
		Panighata	...	Ditto.
	Kaliganj	Mira	...	Ditto.
		Patikabari	...	Ditto.
		Billagram	...	Ditto.
		Harnagar	...	Ditto.
	Nakushipara	Bikrampur	...	Ditto.
		Dighagar	...	Ditto.
		Dogachi	...	Ditto.
		Naupara	...	Ditto.
	Kotwali			

J. IZAT,

Secretary, Railway Board.



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PART IB.

Educational Notices.

EDUCATION DEPARTMENT, BENGAL.

NOTIFICATION.

Special Senior Scholarships for Muhammadans, 1925.

The following students are awarded the above scholarships on the combined results of the Intermediate Examination in Arts and Science of 1925. The scholarships take effect from the 1st July 1925 for two years :—

(Principals of Colleges are requested to report to the Director of Public Instruction, Bengal, the names of holders of the scholarships as soon as they are admitted. No scholarships can be drawn until this information is available with respect to every scholarship-holder).

Six special scholarships of Rs. 10 a month each for Muhammadans.

CALCUTTA.

Shahb Abdul Rahman ... Presidency College

PRESIDENCY DIVISION.

Azizar Rahman Khan ... Bagerhat College.

BURDWAN DIVISION.

Syed Nasiruddin Ahmed ... Midnapur College.

DACCA DIVISION.

Moufiali Sardar ... Barisal B. M. College.

CHITTAGONG DIVISION.

Mujiber Rahman ... Chittagong College.

RAJSHAHI DIVISION.

Md. Atiar Rahman ... Pabna Edward College.

ABHANULLAH,

*Assistant Director of Public Instruction
for Muhammadan Education, Bengal. (offg.).*

CALCUTTA, 17th 1925 September 1925.

EDUCATION DEPARTMENT.

NOTIFICATION.

Mohsin Stipends, 1925.

The following Mohsin stipends are awarded on the combined results of the Intermediate Examination in Arts and Science of 1925. The stipends take effect from 1st June 1925 for two years :—

(Principals of Colleges are requested to report to the Director of Public Instruction, Bengal, the names of holders of the stipends as soon as they are admitted. No stipends can be drawn until this information is available with respect to every stipend-holder.)

Twenty-four Mohsin stipends of Rs. 5 a month each.

PRESIDENCY DIVISION (INCLUDING CALCUTTA).

1. Sharfuddin Ahmad	... Presidency College.
2. Md. Wasilur Rahman	... Ripon College.
3. Shaikh Tofazuddin	... Bagerhat College.
4. Md. Enayet Pir	... Presidency College.
5. Asaduzzaman Chowdhury	... Paugabasi College.
6. Shaikh Abdul Kader	... Krishnagar College.
7. Muhammad Jasinuddin	... Presidency College.

BURDWAN DIVISION.

1. Quazi Abdul Kabir	... Burdwan Raj College.
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DACCA DIVISION.

1. Md. Sulaiman	... Mymensingh Aranda Mohan College.
2. Mirza Abdul Beg	... Ditto.
3. Md. Nozammuddin Mia	... Ditto.
4. Mohammed Khusa	... Barisal Brojo Mohan College.

CHITTAGONG DIVISION.

1. Fazlur Rahman	... Comilla Victoria College.
2. Muhammad Bepari	... Chittagong College.
3. Majidul Haque	... Ditto.
4. Md. Kamul Haque	... Ditto.
5. Abdul Hai	... Comilla Victoria College.
6. Syed Emaduddin Ahmad	... Chittagong College.

RAJSHAHI DIVISION.

1. Ismail Hossain Mondal	... Rajshahi College.
2. Shaikh Liaquat Hossain	... Ditto.
3. Md. Abdul Gafur Pramanik	... Ditto.
4. Md. Nasir Hossain	... Patna Edward College.
5. Shamsuddin	... Rangpur Carmichael College.
6. Harunar Rasid Khan	... Patna Edward College.

AHSANULLAH,

Assistant Director of Public Instruction
for Muhammadan Education, Bengal (off.).

CALCUTTA, the 10th September 1925

Muhammadan Educational Fund Settlement Scholarships tenable at the Dacca Intermediate College, 1925.

THE Muhammadan officers of the Settlement Department under the late Government of Eastern Bengal and Assam raised a fund named "The Muhammadan Educational Fund" out of which it is proposed to award on the results of the last Matriculation Examination two Junior Scholarships, each of the value of Rs. 20 only per annum and tenable for two years, to selected Muhammadan students who do not hold any other kind of scholarship. These scholarships are tenable only in Dacca Intermediate College, and the recipients must be residential students of the institution. In making the award the pecuniary circumstances of the candidates will be taken into consideration. Interfiding candidates must state in their applications whether they are *bona fide* natives of Dacca, Rajshahi and Chittagong Divisions or of Assam and have studied in a school situated in these areas and recognised by the Education Department.

Applications should be submitted to the Principal, Dacca Intermediate College, through the heads of the institutions from which the candidates have passed the Matriculation Examination at once.

AHSANULLAH,

Assistant Director of Public Instruction for
Muhammadan Education, Bengal (off.).

CALCUTTA, the 10th September 1925.

EDUCATION DEPARTMENT, GENERAL.

NOTIFICATION.

Moshin and Special Scholarships, 1925.

The following Moshin and Special Scholarships are awarded on the combined results of the Intermediate Examination in Arts and Science of 1925. The scholarships take effect from the 1st June 1925 for two years :—

(Principals of Colleges are requested to report to the Director of Public Instruction, Bengal, the names of holders of the scholarships as soon as they are admitted. No scholarships can be drawn until this information is available with respect to every scholarship-holder).

Nineteen special scholarships for Muhammadans of Rs. 10 a month each.

TOWN OF CALCUTTA.

1 Abdul Karim	... Presidency College.
2 Muhammad Muzaffar Hossain, I	... Ditto.
3 Abul Kasem Mahiuddin Ahmed	... Bangabasi College.
4 Mirza Mohammad Hossain	... St. Xavier's College.
5 Md. Akhtar Hossain Syed	... Ditto.

PRESIDENCY DIVISION.

1 Khandekar Mahammad Hossain	... Berhampur Krishnath College.
2 Samiuddin Ahmed Khan	... Bagerhat College.
3 Shaikh Mahammed Nurul Haque	... Berhampur Krishnath College.

BURDWAN DIVISION.

1 Mir Manan Ally	... Houghly College.
2 Abdul Goni Haldar	... Serampur College.
3 Mahomed Reza Karim	... Bankura Wesleyan College.

DACCA DIVISION.

1 Syed Ali Ahmed	... Mymensingh Anandamohan College.
2 Md. Abdul Aziz	... Ditto.

CHITTAGONG DIVISION.

1 Naziruddin Ahmed	... Comilla Victoria College.
2 Abdul Majid	... Ditto.
3 Abdul Mannan	... Ditto.

RAJSHAHI DIVISION.

1. Fahimuddin Ahmed	... Rajshahi College.
2 Quazi Mukhlesar Rahman	... Rangpur Carmichael College.
3 Habibuddin Ahmed	... Rajshahi College.

Five Moshin Scholarships of Rs. 10 a month each.

1 Md. Masudul Haq	... Presidency College.
2 Molla Rabiuddin Ahmad	... Houghly College.
3 Syed Abdul Wali	... Barisal B. M. College.
4 Abul Hossain Miah	... Rangpur Carmichael College.
5 Syed Ahmad	... Feni College.

Two Darbhanga Madrasah Scholarships of Rs. 10 a month each.

1 Taslim Uddin Ahmed	... Presidency College.
2 Syed Sajid Ali	... St. Xavier's College.

Two special scholarships of Rs. 15 a month each for backward classes.

1 Sambhucharan Mistri	... Rajshahi College.
2 Gopendrachandra Sarkar	... Ditto.

Three special scholarships of Rs. 15 a month each for boys of the depressed classes.

1 Jaladhar Madhu	... Barisal B. M. College.
2 Mahangada Haldar	... Bagerhat College.
3 Adhar Chandra Bhowas	... Daulatpur Hindu Academy.

AHSANULLAH,

Assistant Director of Public Instruction
for Muhammadan Education, Bengal (offg.).

CALCUTTA, the 10th September 1925.

CALCUTTA UNIVERSITY.

NOTICE.

The Matriculation Examination for 1926 will commence on Monday, the 1st March 1926.

Fees and applications from candidates for admission to the Matriculation Examination must reach the office of the Controller of Examinations on or before Monday, the 4th January 1926.

The Intermediate Examinations in Arts and Sciences for 1926 will commence on Wednesday, the 10th March 1926.

The B.A. and B.Sc. Examinations in Honours for 1926 will commence on Tuesday, the 16th March 1926.

The B.A. and B.Sc. Examinations in Pass for 1926 will commence on Tuesday, the 23rd March 1926.

Fees and applications from candidates for admission to the I.A., I.Sc., B.A., and B.Sc. Examinations, 1926, must reach the office of the Controller of Examinations on or before Monday, the 11th January 1926.

The L.T. and B.T. Examinations for 1926 will commence on Monday, the 15th March 1926.

Fees and applications for admission to the examinations must reach the office of the Controller of Examinations on or before Monday, the 1st February 1926.

A. C. BOSE, *Controller of Examinations.*

SENATE HOUSE, the 8th September 1925.

DACCA MEDICAL SCHOOL.

NOTICE.

Examination of Compounders and Dressers at the Dacca Medical School.

IT is hereby notified for general information that the next half-yearly examination of compounders will be held on the 28th October 1925 and subsequent days.

(a) No person will be admitted to this examination unless he produces certificates as required by rules 9, 10, 11 and 12 of Government notification No. 1410Medl., dated the 7th July 1913.

(b) All male candidates must forward to the Deputy Superintendent, Dacca Medical School, an examination fee of Rs. 5 at least one week before the commencement of the examination. A fresh fee must be paid on each occasion that the candidate enters for the examination; but a candidate, who, after payment of the fee, is unable, through illness, to attend the examination, will be allowed, on producing a satisfactory medical certificate, to attend the next examination without payment of fresh fee.

(c) Women candidates are examined free of charge.

(d) Passed compounders who have completed a further three months' course of dressing prescribed in rule 13, and students of the licentiate class of this school, on the completion of their second years' course, will be allowed to appear at an examination in bandaging, sterilization of dressings and instruments and in minor duties of hospital work. A fee of Rs. 2 shall be charged for this examination.

This examination is also open to persons qualified for admission to the examination prescribed under the rules for the grant of certificates to compounders, on production of a certificate that they have received instruction in a hospital or dispensary recognised by Government in bandaging, preparation of antiseptic lotions and dressings, sterilization of dressings and instrument and in the duties of hospital dresser. Such persons shall be required to pay a fee of Rs. 2 for this examination.

M. MACKELVIE, C.I.E., M.B., LT.-COL., I.M.S.,

Superintendent, Dacca Medical School.

DACCA, the 28th August 1925.

NOTICE.

IT is hereby notified for general information that the next examination for admission of students to the compounders' class, Medical School, Dacca, will be held on the 30th October 1925, at 9-30 A.M.

Candidates desirous to sit at this examination shall send their applications with a fee of Rs. 2 to the Deputy Superintendent, Dacca Medical School, on or before 25th October 1925.

N.B.—Owing to the large number of matriculates the vacancies for non-matriculate students are very limited.

M. MACKELVIE, C.I.E., M.B., LT.-COL., I.M.S.,

Superintendent, Dacca Medical School.

DACCA, the 25th August 1925.

ORDERS BY THE SENATE OF THE CALCUTTA UNIVERSITY.

IN A EXAMINATION, 1925.

POLITICAL ECONOMY AND POLITICAL PHILOSOPHY.

Papers I and II.—General Economics.

• A. Marshall	... Principles of Economics.
Ditto	... Industry and Trade.
• Taussing	... Principles of Economics.
• Bastable	... International Trade.
Cassel	... Money and Exchange after 1914.

Paper III.—General Principles of Political Philosophy.

Sidgwick	... Principles of Politics.
J. S. Mill	... Liberty.
• Ditto	... Representative Government.
• Green	... Lectures on Political Obligations.
• Willoughby	... Nature of the State.
Hobhouse	... Social Evolution and Political Theory.
Lord, A. R.	... Principles of Political Science.
Holcombe	... Foundation of Modern Commonwealth.

Paper IV.—Public Administration.

Ilbert and Meston	... The new constitution of India.
• Lowell	... Government of England.
• Dicey	... Law of the Constitution.
Bastable	... Public Finance.
Plehn	... Ditto.
• Keith	... Responsible Government in the Dominions.
P. Mukherjee	... The Indian Constitution (1920).
Imperial Gazetteer of India, Vol. IV (Administrative).	
Government of India Act and the rules made thereunder.	
Bengal Local Self-Government Act.	
Bengal Village Self-Government Act.	
Bengal Municipal Act.	
Calcutta Municipal Act.	
Report of the Reforms Enquiry Committee, 1925.	
Ascoli—Introduction to "Early Revenue History of Bengal".	

GROUP A.

Paper V.—General History of Economics.

• Hasey	... History of Economic Thought.
• Gide and Rist	... A History of Economic Doctrines.
Adam Smith	... Select Chapters from Wealth of Nations (Economic Classics Series, Macmillan & Co.).
Malthus	... Population (Selections, Economic Classics Series, Macmillan & Co.).
Ricardo	... Political Economy (Selections, Economic Classics Series, Macmillan & Co.).
• Meredith	... Economic History of England from the Industrial Revolution.
Cunningham	... Growth of English Industry and Commerce—Modern Times, Part II (Laissez Faire).

Papers V and VI.—(1) The History, Theory and Present System of Banking and Currency.

• Conant	... Principles of Money and Banking.
• Fisher	... Purchasing Power of Money.
• Dunbar	... History and Theory of Banking.
Burton	... Commercial Crises.
• Withers	... Stocks and Shares.
Keynes	... A Tract on Monetary Reform.
Skinner	... Indian Finance and Banking.
Rao	... Present Day Banking in India.

Marshall's Evidence, Gold and Silver Commission, 1898.

Report of the Royal Commission of Indian Currency and Finance, 1914.

Report of the Babington Smith Committee.

* Candidates are required to prepare a thorough acquaintance with the books marked with an asterisk.

(ii) History, Theory and Present Organisation of International Trade.

*Chapters bearing on the subject in Ricardo, J. S. Mill and Cairnes.

List	... National System of Political Economy, Book II.
*Pigou	... Protective and Preferential Import Duties.
Giffen	... The use of Import and Export Statistics. (Essay IX in Economic Inquiries and Studies.)
F. Ashley	... Modern Tariff History.
Tausig	... Tariff History of the United States.
Coyajee	... Indian Fiscal Problem.
Bowley	... England's Foreign Trade in the XIX Century.
*Brown	... International Trade and Exchange.
*Tausig	... Some Aspects of the Tariff question.
Sanerjee	... Indian Fiscal Policy.
Marshall	... Money, Credit and Commerce.
Spalding	... Foreign Exchange and Foreign Bills in Theory and Practice.

Report of the Indian Fiscal Commission, 1922.

Review of the Trade of India (latest issue).

(iii) The Theory and Practice of Statistics including Demography.

*A. L. Bowley	... Elements of Statistics (new edition).
Jones	... First Course in Statistics.
Secrist	... Introduction to Statistical Methods.
*King	... Statistical Methods.
*Giffen	... Statistics.
Bowley	... Measurement of Social Phenomena.
*Yule	... Introduction to Statistics.
Newsholme	... Vital Statistics.
West	... Mathematical Statistics.
Truman Kelly	... Introduction to Statistical Method.

The Jubilee Volume of the Journal of the Royal Statistical Society.

British and Foreign Trade and Industries, being memoranda, etc., prepared by the Board of Trade (commonly called the Fiscal Blue Books).

Imperial Gazetteer, Vol. I, Chapters IX and X.

Reports on the Moral and Material Progress of India

(iv) Mathematical Economics.

Bowley	... Mathematical Ground work of Economics.
*Cunninghame	... Geometrical Political Economy.
Cournot	... Mathematical Principles of the Theory of Wealth (Economic Classics Series, Macmillan & Co.).
*Jevons	... Theory of Political Economy.
Marshall	... Principles of Economics (Mathematical Appendices).
Pigou	... Economics of Welfare.
*Pantaleoni	... Pure Economics.
Edgeworth	... Mathematical Psychics.
Wicksteed	... Alphabet of Economic Science.
*Ditto	... Common Sense of Political Economy.

Articles by Flux Seager, Chapman, Pigou and Edgeworth in the "Economic Journal" (bearing on Mathematical Economics).

(v) Elements of Statistics and the Mathematical Treatment of Economic Theory.

Giffen	... Statistics.
Bowley	... Elementary Statistics.
*Yule	... Introduction to Statistics.
*Cunninghame	... Geometrical Political Economy.
Cournot	... Mathematical Principles of the Theory of Wealth (Economic Classics Series, Macmillan & Co.).
*Pantaleoni	... Pure Economics.
Wicksteed	... Common Sense of Political Economy.

GROUP B.**Paper V.—General History of Political Philosophy.**

Theories of the State contained in—

Plato	... Republic.
*Aristotle	... Politics.

* Candidates are required to possess a thorough acquaintance with the books marked with an asterisk.

*Hobbes	...	Leviathan.
*Locke	...	Second Treatise on Government.
*Rousseau	...	Social Contract.
*Bentham	...	Fragment of Government.
*Dunning	...	History of Political Theories, 3 vols.
Barker	...	English Political Thought. (Home University Library.)
Brown	...	English Political Theory.
Machiavelli	...	The Prince.
Gottel	...	History of Political Thought.

Papers VI and VII.—(i) Comparative Study of Political Institutions.

Greenidge	...	Greek Constitution.
Ditto	...	Roman Public life.
*Kautilya	...	Arthashastra (translation by Shama Sastri).
Rangaswami Aiyangar	...	Ancient Indian Polity.
Pramathanath Banerjea	...	Public Administration in Ancient India.
*Aristotle	...	Constitution of Athens.
Woodrow Wilson	...	Constitutional Government.
*Coulanges	...	Ancient City (Tr. Small).
*Warde Fowler	...	The City-State of the Greeks and Romans.
*Maine	...	Ancient Law.
*Sidgwick	...	Growth of European Polity.
Freeman	...	Comparative Politics.
*Lowell	...	Governments and Parties in Continental Europe.
Ogg	...	Governments of Europe.
Sidney Low	...	Governance of England.
Bryce	...	Modern Democracies.
Ghoshal	...	Hindu Political Theories.
Sarkar, B. K.	...	Political Institutions and Theories of the Hindus.

(ii) Comparative Study of Social Institutions.

Cole	...	Social Theory.
*Giddings	...	Principles of Sociology.
*Tylor	...	Primitive Culture.
Frazer	...	Golden Bough (Abridged Edition).
Fairchild	...	Applied Sociology.
*Risley	...	Peoples of India.
Wundt	...	Folk Psychology.
Bhudev Mookerjee	...	Samajik Prabandha.

Census Report for India, 1911 and 1921.

Ellwood—Introduction to Social Psychology.

Carveth Read—The Origin of Man and of his Superstitions.

W. R. Inge—Outspoken Essays, Second series.

For Reference.

Hobhouse—Development and Purpose, an essay towards a Philosophy of Revolution.

Graham Wallas—Our Social Heritage.

William McDougall—The Group Mind, reprinted 1921.

William McDougall—Introduction to Social Psychology, Sixth edition, 1921.

Gustave le Bon—The Crowd, a study of the popular mind, 12th impression, 1920.

Gustave le Bon—The Psychology of Revolution.

Hingley—Psycho-analysis, 1921.

Mrs. Gasquoine Hartley—The Truth about Woman, 1914.

Trotter—Instincts of the Herd in Peace and War, 2nd edition, 1919.

Knight, Peters and Blanchard—Taboo and Genetics, 1921.

Graham Wallas—Human Nature in Politics, 3rd edition, 1920.

Havelock Ellis—The Task of Social Hygiene, 4th impression, 1916.

J. B. Rury—History of the Freedom of Thought, 2nd impression, 1920.

Lothrop Stoddard—The Revolt against Civilization, 2nd impression, 1922.

Moris Ginsberg—The Psychology of Society, 1921.

(iii) International Law, with reference to existing Political and Economic Institutions.

*Oppenheim	...	International Law, Ed. Roburgh.
*Hall	...	Ditto.
Higgins	...	Hague Peace Conference.
*Pitt Cobbet	...	Cases on International Law, 2 vols.
Stowell and Monroe	...	International cases, 2 vols.
Pollock	...	League of Nations.

* Candidates are required to possess a thorough acquaintance with the books marked with an asterisk.

J. M. Keynes	...	Economic consequences of the Peace (Reprinted 1920).
Ditto	...	A Revision of the Treaty.
Garner	...	Development of International Law in the 20th Century.

For Reference.

J. J. Hall	...	Law of Naval Warfare.
Norman Angell	...	The Fruits of Victory.

The British Year Book of International Law (third year of issue), 1922-23.
Transactions of the Grotious Society (Problems of Peace and War). First published in 1915.

The American Journal of International Law.

Treaty Series, H. E. Stationery Offices :—

- No. 4 (1919) Treaty of Versailles.
- " 11 " Treaty of St. Germain-en-Laye.
- " 5 (1921) Treaty of Neuilly sur Seine.
- " 10 " Treaty of Trianon.
- " 11 Treaty of Sevres.

History of the Peace Conference at Paris, edited by H. W. V. Temperley, 5 vols., 1920-21.

War and Treaty Legislation, 1914-1921, by J. W. Scobell Armstrong.

Private Property and Rights in enemy countries under the Peace Treaties by Paul F. Simonson, 1921.

International Law and the World War by Garner, 2 vols., 1920.

Labour's Magna Charta, a study of the Labour clause of the Peace Treaty and recommendations of the Washington International Labour Conference by Nicholas Chisholm, 2nd edition, 1921.

Paper VIII.—Essay.

Groups A and B.

Candidates will be required to write an essay on some topics connected with one of the following subjects. The essay must treat the topic chosen by the candidate with special reference to Indian conditions :—

- | | |
|-----------------------------|----------------------------------|
| 1. Famines. | 7. Forms of Government. |
| 2. Co-operation. | 8. Statistical Studies. |
| 3. Railways. | 9. Village Communities. |
| 4. Industrial Organisation. | 10. Labour Problems. |
| 5. Currency Problem. | 11. Foreign Trade and Exchanges. |
| 6. Land Systems. | 12. Tariff Problems. |

COMMERCE.

(COMPULSORY PAPER.)

Paper I.—Realistic Economics.

Marshall	...	Industry and Trade, Money, Credit and Commerce.
Haney	...	Business Organisation.
Bastable	...	International Trade.
Stephenson	...	Principles of Business Economics.

Paper II.—Accounting.

Spicer and Peglar	...	Book-keeping and Accounts.
W. M. Cole	...	Problems in the Principles of Accounting (Harvard).
Carter	...	Advanced Accounts.

Paper III.—Commercial Law.

Smith	...	Mercantile Law.
Stevens	...	Ditto.
Schaub and Isaacs	...	Law in Business Problems (Macmillan).
Davies	...	Indian Mercantile Law.

Paper IV.—Banking.

Eagshaw and Hannaford	... Practical Banking.
Keston	... Money, Exchange and Banking.
Davis	... Bank Organisation and Management.
Poloy and Gould	... Stock Exchanges.
Rau	... Present day Banking in India (Calcutta University).
Sheldon	... Law and Practice of Banking.

(OPTIONAL PAPERS.)

Papers V and VIII.

Any four of the following—

(i) Industrial Structure and Development.

Marshall	... Industry and Trade.
MacGregor	... Industrial Combination.
Clapham	... Economic Development of France and Germany, 1815-1915.
Report of the Indian Industrial Commission (1916-18).	
Broughton	... Labour in Indian Industries.
Special study of Cotton, Jute, Iron, Coal and Tea Industries in India.	

(ii) Statistics.

Boddington	... Statistics and their Application to Commerce.
Secrist	... Introduction to Statistics.
Giffen	... Statistics.
Bowley	... Elements of Statistics, Part I.
King	... Statistical Method.

(iii) Economic Geography.

McFarlane	... Economic Geography.
Chisholm	... Handbook of Commercial Geography.
Bartholomew	... Commercial Atlas.

(iv) Tariffs.

Bastable and Gregory	... Commerce of Nations.
Coyajee	... Indian Fiscal Problem.
Banerjee, P. N.	... Indian Fiscal Policy.
Gregory	... Tariffs: A Study in Method.
Fiske	... International Commercial Policies.
Report of the Indian Fiscal Commission, 1922.	
The Indian Tariff Act, The Indian Sea Customs Act.	
Report of the Indian Tariff Board regarding the grant of Protection to the Steel Industry.	

(v) Agricultural Economics.

Leake	... The Bases of Agricultural Practice and Economics in the United Provinces of India.
Ray	... Agricultural Indebtedness.
Study of Indian Villages, by Mann, Kentinge, Jack, etc.	
*Nourse	... Agricultural Economics.
*Taylor	... Agricultural Economics (Ed. 1920).
*Carver	... Principles of Agricultural Economics.
Boyle	... Agricultural Economics.
Wolf	... Rural Reconstruction.
Mukherjee, P.	... Co-operative Movement in India.

(vi) Currency.

*Conant	... The Principles of Money and Banking (Vol. I only).
*Keynes	... A Tract on Monetary Reform.
Cassel	... Money and Exchange after 1914.
*Spalding	... Foreign Exchange and Foreign Bills in Theory and Practice.
*Shirras	... Indian Finance and Banking (Chapters on Currency).
Withers	... Bankers and Credit.
Report of the Committee on Indian Exchange and Currency, 1919 (Babington Smith Report).	
Report on the Operations of the Currency Department of the Government of India (latest issue).	

* Candidates are required to possess a thorough acquaintance with the books marked with an asterisk.

(vi) *Public Finance.*

Wattel	... Financial Administration in British India.
*Piehn	... Public Finance (Ed. 1920).
Adams	... Science of Finance.
Shirras	... Science of Public Finance.
Annals of the American Academy of Political Science, May 1924.	

(vii) *Auditing.*

Spicer and Peglar	... Practical Auditing.
Pisley	... Duties of Auditors.
Dickson	... Practical Auditing.

(ix) *Business Organisation.*

F. W. Raffety	... Modern Business Practice, Vol. I. (The Gresham Publishing Co.).
Stephenson	... Principles and Practice of Commerce.
Bloomfield	... Business Organisation.
Dickson	... Ditto.
Sparling	... Introduction to Business Organisation.
Haney	... Business Organisation and Combination.

SANSKRIT.

The course shall include the following :—

(The books prescribed for the first four papers are common to all the groups.)

Paper I.—(a) Ashtaka I of the Rigveda, with Sayana's commentary thereon.

(b) Sayana's introduction to his commentary on the Rigveda.

Paper II.—Siddhanta-Kaumudi (whole).

Paper III.—(a) and (b) Elements of Comparative Philology with special reference to the Indo-Iranian Languages and the growth of the Prakritic dialects.

The following books are recommended :—

- *Macdonell, A. A.—Vedic Grammar for students (Oxford).
- *Uhlenbeck, C. C.—A Manual of Sanskrit Phonetics (Luzac).
- *Gune—Introduction to comparative Philology (Poona).

For reference only :—

Whitney—Sanskrit Grammar.

Dr. Prabhatchandra Chakrabarti—Linguistic Speculations of the Hindus.

(c) *Naishadhi-Prakasa*—*Karikas Nos. 2, 3, 4, 12-14, 16-18, 20, 29, 31, 33, 54, 56, 58, 60, 61, 66, 67 and 95.*

Paper IV.—Two essays—(a) dealing with some subject connected with the history of Sanskrit literature generally; (b) dealing with some subject connected with the history of the special department covered by the group taken up.

Papers V, VI, VII and VIII.—One of the following groups to be selected by the candidate :—

A.—Literature.

Paper V.—(a) Poetry Texts :—

Naishadha Charita	... Canto I with commentary.
Ramandakiya Nitisara	... Chapters 8, 9, 10 and 11 (pages 37-62). Jivananda's edition.)
Bakra Nitisara	... Chapter 4 (pages 507-670). (Jivananda's edition.)
Mahabharata	... Santi-parva, Rajadharma, Chapters 56-60, 68, 69, 86-88 (Pratap Ray's edition).
Sisupalavadha	... Cantos 5, 6, with Mallinatha's commentary.

(b) Translation from English into Sanskrit.

Paper VI.—(a) Drama Texts. Vikramorvasi, Mrichchhakatika, Venisamhara, Mahaviracharita, Karpuramanjari; Vararuchi's Prakrita Prakasa as is necessary for the appreciation of the Prakrit passages.

(b) Translation from English into Sanskrit.

Paper VII.—(a) Prose Texts: Kadambari (1st part), Harshacharita, Chapters 5 and 6.

(b) Chosen passages in Sanskrit Prose for translation into English.

Paper VIII.—(a) Rhetoric and Prosody, namely, Kavyaprakasa, Ekavali, Sarasvatikanthabharana, Sahitya-darpana and Chhandomanjari.

(b) Chosen passages in Sanskrit Poetry for translation into English.

* Candidates are required to possess a thorough acquaintance with the books marked with an asterisk.

B.—Vedas.

Paper V.—Yaska's Nirukta and Pingala's Chhandasutras with Halayudha's Vritti; Pratishakhya of the Rigveda, with the commentary of Uvata.

Paper VI.—(a) Aitareya Brahmana with Sayana's commentary.

(b) Simple unseen passages in Vedic Sanskrit for translation into classical Sanskrit. (The interpretation of any recognised Indian School will be accepted.)

Paper VII.—(a) Brihadaranyaka Upanishad, Chapters III and IV; Chhandogya Chapters V, VI, VII and VIII.

(b) Simple unseen Sanskrit passages from any Upanishad for translation into English.

Paper VIII.—Grihya-Sutra—Gobhila with commentary.

(b) Translation from English into Sanskrit.

C.—Mimamsa and Smriti.

Paper V.—(a) Mimamsa-Sutra with Savara Bhashya, first three chapters.

(b) Simple unseen Sanskrit passages from any treatise or commentary on the Mimamsa Philosophy, such as the Sloka-Varttika and the Tantra-Varttika for translation into English.

For reference only—

Dr. Pasupatinath Shastri—Introduction to the Purva Mimamsa.

Paper VI.—(a) Jaiminiya Nyayamalavistara and Mimamsa Nyayaprakasa.

Simple unseen Sanskrit passages from any treatise or commentary on the Mimamsa Philosophy, such as the Mimamsa-Bhāṣya and the Tūptika for translation into English.

Paper VII.—(a) Manu-Samhita with Kulluka's commentary.

Dharma-Sūtras of Apastamba and Gautama with Haradatta's commentary.

(b) Grihya-Sutra—Gobhila.

Paper VIII.—(a) Yajurveda-Samhita with Vijnanesvara's Mitakshara Parakara's Institutes with Madhava's commentary.

(b) Translation from English into Sanskrit.

D.—Vedanta.

Paper V.—(a) Vedantasara (Jacob's edition), Panchadasi, Vedanta Paribhasha, Hastamalaka (with commentary), and Siddhantalekha.

(b) Simple unseen Sanskrit passages from any work on Vedanta Philosophy such as the Vivaranaprameya-Sangraha for translation into English.

Paper VI.—(a) Vedanta-Sutra with Sankara Bhashya.

(b) Translation from English into Sanskrit.

Paper VII.—(a) Srihashya, Chapter I, Part I.

(b) Advaita-Brahma-Siddhi.

Paper VIII.—(a) Bhagavadgita: Chhandogya-Upanishad, Chapter VI, Brihadaranyaka, Chapters III, VI; Katha and Mandukya Upanishads with Sankara's commentary.

(b) Passages for translation into English from the Anubhashya and the Salva-bhashya.

E.—Sankhya and Yoga.

Paper V.—(a) Sankhya-Sutras of Kapila with Vritti of Aniruddha, Sankhya-Karika of Isvara-krishna with Bhashya of Gaudapada.

(b) Simple unseen Sanskrit passages from any treatise or commentary on the Sankhya Philosophy for translation into English.

Paper VI.—(a) Sankhya-Pravachana-Bhashya, Sankhya-Sava and Sankhya-Tattva-kaumudi.

(b) Translation from English into Sanskrit.

Paper VII.—(a) Yoga-Sutras of Patanjali with Bhashya of Vyasa and Vritti of Bhoja. Yoga-Varttika or Vijnana Bhikshu.

(b) Simple unseen Sanskrit passages from any treatise or commentary on the Yoga Philosophy for translation into English.

Paper VIII.—(a) Yogavasiṣṭha, Chapter on Vairagya Prakarana, Sarvadarsana-Sangraha.

(b) Translation from English into Sanskrit.

F.—Nyaya and Vaisheshika.

Paper V.—(a) Nyaya-Sutras of Gautama with the Bhashya of Vatasyayana, Varttika of Udayotakara and Vritti of Visvanatha.

(b) Simple unseen Sanskrit passages from any treatise or commentary on the Nyaya Philosophy for translation into English.

Paper VI.—(a) Nyayamanjari of Jayanta Bhatta; Khandarakhanda-khadya of Brihaspati, Chapter I.

(b) Translation from English into Sanskrit.

Paper VII.—(a) Bhashaparichcheda with Sidhanta-muktavali; Kusumanjali of Udayanacharya with commentary of Bhojiddatta and gloss of Vardhamana.

(b) Translation from English into Sanskrit.

Paper VIII.—(a) Vaiseshika Sutras of Kanada, with Bhashya of Prasastapada; Nyayakandali of Bṛidhara, and Vṛitti of Jayasrayana; Saptapadarthi of Sivadiya, with commentary of Yatindra Madhava.

(b) Simple unseen Sanskrit passages from any treatise or commentary on Vaiseshika Philosophy for translation into English.

G.—General Philosophy.

Paper V.—(a) Sankhya Sutras of Kapila with Vṛitti of Aniruddha; Sankhya-Tattvakosmudi; Yoga-Sutras of Patanjali with the Bhashya of Vyasa and Vṛitti of Bhoja.

(b) Simple unseen Sanskrit passages from any work on Philosophy for translation into English.

Paper VI.—(a) Nyaya Sutras of Gautama with Bhashya of Vatsaryana and Vṛitti of Visvanatha; Vaiseshika Sutras of Kanada with Bhashya of Prasastapada; and Nyayakandali of Bṛidhara.

(b) Translation from English into Sanskrit.

Paper VII.—(a) Vedantasara (Jacob's edition); Bhagavadgita; Vedanta Sutra with Sankara's commentary, Chapter I, Parts I and IV, Chapter II, Part II.

(b) Translation from English into Sanskrit.

Paper VIII.—(a) Nyayaratnamala of Parthasarathi Misra; Mimamsa Nyaya Prakasa of Apuleya. Upanishads—Isa, Kena, Katha, Prasna, Munda, Mandukya and Svetasvatara with Sankara's commentary.

(b) Simple unseen Sanskrit passages from any work on Philosophy for translation into English.

H.—Prakrit.

Paper V.—(a) Prasna Vyakhyana, Vipakautra.

(b) Translation from English into Sanskrit (or Prakrit at the option of the candidate).

Paper VI.—(a) Prakrit portions of the following Dramas:—

Sakuntala, Vikramorvasi, Malavikagnimitra, Uttaracharita, Malatimadhava, Mahaviracharita, Mṛichebhakatika, Mudrarahasya, Ratnavali, Karpuramanjari, Veni-sambhara.

(b) Translation from Sanskrit into Prakrit.

Paper VII.—(a) Setubandha, Gaudavaha, Kumarapalacharita together with a general knowledge of Prakrita Pingala.

(b) Simple unseen passages in Prakrit for translation into English.

Paper VIII.—(a) Prakrit Grammar as in Vararuchi's Prakrita Prakasa (Cowell); Chanda's Prakrita Lakshana (Hoernle), Hemachandra (Pischel).

Candidates are also expected to be familiar with the substance of Hoenle's Grammar of the Gaudian languages.

(b) Simple unseen passages in Prakrit for translation into Sanskrit.

I.—Epigraphy and History.

Paper V.—(a) Rajatarangini and its continuation, with Stein's introduction and commentary.

(b) Unseen passages in Sanskrit for translation into English.

Paper VI.—(a) Inscriptions of Asoka.

(b) Early Indian Alphabets.

Paper VII.—Epigraphia Indica.

Volume	I.	Inscriptions Nos. 1, 8, 11, 13, 36.
"	III.	Nos. 8 and 17.
"	IV.	No. 34.
"	V.	Nos. 2 and 19.
"	VI.	Nos. 1 and 14.
"	VII.	No. 6.
"	IX.	No. 31 (translation only).
"	X.	No. 15.
"	XII.	Nos. 8 and 18.

Fleet—Corpus Inscriptionum Indicarum, Vol. III, Nos. 1, 18, 23-37.
Prachina Lekha-Mala—Lekhas 69, 79, 80, 85, 92, 111 and 118.

Paper VIII.

(a) Ancient Geography of India.

The following books are recommended :—

Cunningham—Ancient Geography of India.

Fleet—Topographical List of the Brihatsamhita.

Pargiter—Translation of the Markandeya Purana (Bhuvanakesha only).

(b) Translation from English into Sanskrit.

PALI.

(COMPULSORY PAPERS.)

Paper I.

(a) Digha-Nikaya.—

Brahmajala-Suttanta.

Samaññaphala-Suttanta.

Singalovada-Sutta.

Ambattha-Sutta.

(b) Majjhima-Nikaya Suttas 1-15.

(c) Samyutta-Nikaya : Devata, Devaputta, and Kosala Samyuttas.

(d) Anguttara-Nikaya—Pancakanipata, Vaggas 1-8.

Paper II.

(a) Mahavagga of the Vinaya-Pitaka, pages 1-156.

(b) Phikkhu-Patimokkha.

(c) Dr. Vidyabhushana's translation of So-sor-thar-pa (Tibetan Patimokkha).

Paper III.

Kaccayana—Pali Grammar.

Vuttodaya—Ed. C. A. A. Silakkhandha (Nirnaya Sagara Press, Bombay).

Vararuci—Prakriti Prakasa.

R. G. Bhandarkar—Wilson Philological Lectures (Bombay).

Wedner—Introduction to the Prakrits.

Gune—Comparative Philology (Poona).

Prakrit Dhammapada (Barua and Mitra).

Müller—Pali Grammar.

N.B.—Indo-European family of languages—the Aryan branch. History of Sanskrit and Prakrit dialects. Development of Pali sounds and inflections. Pali with reference to Sanskrit and Indo-European.

Paper IV.

Rhys Davids—Buddhist India.

Rhys Davids—American Lectures.

Kern—Manual of Buddhism.

Nariman—Literary History of Sanskrit Buddhism.

Hoe-rue—Manuscript Remains of Buddhist Literature found in Eastern Turkestan, Vol. I (Translation and notes only).

Mrs. Rhys Davids—Buddhism.

Spence Hardy—Manual of Buddhism.

Oldenberg—Buddha.

Beal—Buddhist Literature in China.

Elliott—Hinduism and Buddhism, Vol. III.

Law—Life and work of Buddhaghosa.

Bhandarkar—Asoka.

GROUP A.—LITERATURE.

Paper V.

(a) Devadhamma-jataka (6)	..	...	...	..
Kulavaka-jataka (31)	...	...	...	..
Sullabodhi-jataka (443)	...	...	...	..
Ghata-jataka (454)	..	...	...	..
Dasaratha-jataka (461)	...	...	...	..
Mahasutasoma-jataka (537)	...	...	...	..
Temiya-jataka (538)	...	...	...	..

Faustball.

(b) Jatakas in the Bharhut sculptures.

(c) Petavatthu and Vimkanavatthu.

(d) Rhys Davids' Buddhist Birth-Stories—Introduction.

Paper VI.

Theri-Gatha with the Paramattha-dipani (First-half).

Theri-Gatha (Second half).

Sutta-nipata (Bapat's edition).

Vimaddhimagga.

Milindapanha (Mondakapanha only, pages 90-188).

Paper VII.

1. Inscriptions of Asoka (ed. by Bhattacharya and Majumdar).
2. Piprahwa Buddhist Vase Inscription (as in Liders' List of Inscriptions No. 931).
3. Barhut Inscriptions (Baron and Sinha).
4. Sanchi Stupa Inscriptions (as in Liders' List, Nos. 161-668).

Paper VIII.

Essays and Unseen.

GROUP B.—PHILOSOPHY.

Paper V.

Ithammasangani.
Dukapattihana.
Atthasallini (P. T. S.), pages 1-136.

Paper VI.

Abhidhammattha-Sangaha.
Netti-Pakarana.
Abhidhammavattara.

Paper VII.

Kuthavattu (P. T. S.), Vol. I, pages 1-103.
Vibhanga (P. T. S.), pages 1-150.
Dhātukatha (P. T. S.), pages 1-100.

Paper VIII.

Essays and Unseen.

GROUP C.—EPIGRAPHY AND HISTORY.

Paper V.

Mahāvamsa, Chapters 21-37 (Gier's edition).
Mahāvamsa.
Dāthuvamsa (R. C. Law's edition).

Paper VI.

Inscriptions of Asoka.
Hathigumpha Inscription of Kharavela.

Paper VII.

- (a) Inscriptions of the Kshaharata and Satavahana Dynasties.
- (b) Inscriptions of the Imperial Guptas.

Paper VIII.

- (i) Cunningham—Ancient Geography of India (published by Chakraborty Chatterjee).
- (ii) Reports of the Archaeological Survey of India about Taxila, and Isipatana, Vesali, Savatthi, Rajagriha, Kusinara and Kapilavastu.
- (iii) Foucher—Notes on the Geography of Gandhara.
- (iv) Watters—Yuan Chwang, 2 vols.

GROUP D.—MAHAYANA LITERATURE AND PHILOSOPHY.

Paper V.

Lalitā-Vistara.
Aśvaghoṣa's Buddhacharita.

Paper VI.

Madhyamika-Karika with Vṛtti of Candrakīrti.
Laṅkāvatāra Sūtra (Benio Nanjio's edition).
Sūtralankāra of Asaṅga (edited by Sylvain Lévi).

Paper VII.

Nyāyabindu with the Tika of Dharmottara (A. S. B.).
Sarvāśāstrasamgraha (portion dealing with Buddhist Philosophy only).
Vidyābhūṣana—History of Indian Logic (Buddhist Logic only).

Paper VIII.

- A. (i) Kielhorn—Sanskrit Grammar.
 (ii) Macdonell—Sanskrit Grammar.
 B. Essays.

ARABIC.

Paper I.

Kitab-ul Aghani, Vol. iv.

- (a) From the middle of pages 17 to the middle of pages 34 and
 (b) From pages 74 to page 98.

Paper II.

Yatimat-ul Dahr, Vol. iv, al Bab-ul Khamis fi dhikr-i Abi'l Fadhl'il Hamadani, pages 167-204.

Paper III.

Nicholson : *Literary History of the Arabs*.
 Huart : *History of Arabic Literature*.
Encyclopaedia Britannica, article on "Arabic Literature".

Paper IV.

Mufassal of Zamakhshari, from the beginning up to the end of Bahth-i-Iam-i Mu'rab.
Fara'id of Mulla Mahmud Jawnpuri : *Dim-ul Ma'ani*, from the beginning of the Muqaddima up to the end of the Naw'i-Awwal of the Fann-i-Thani.
 Wright : *Grammar of the Arabic Language*.
 O'Leary : *Comparative Grammar of the Semitic Languages*.

Paper V.

Qur'an with the Kashshaf of Zamakhshari, the whole of Suratu al-Imran.
Mishkat ul-Masabih.

- (a) *Kitab-ul Imarat-i Wa'l-Qadai*.
 (b) *Kitab-ul Adab*.

Macdonald : *Development of Muslim Theology, Jurisprudence and Constitutional Theory*.

Ameer Ali : *The Spirit of Islam*.

Paper VI.

Isharat of Avicenna : Al Namat-ul-Tasi' and Al Namat-ul 'Ashir.
Kitab al Fakhri (Cairo ed.) pages 1-132.

Paper VII.

(a)—

Arnold : *Caliphate*.
 Weil : *History of Islamic Peoples* (trans. by Khuda Buksh).
 Von Kremer : *History of Islamic Civilisation* (trans. by Khuda Buksh).
 Ameer Ali : *History of the Saracens*.
 Goldziher : *Mohammed and Islam*. (Yale University).
 Ibn Khaldun : *Prolegomena* (translations by Slane).

(b)—

Ferishtas's History (Trans. by Briggs).

PERSIAN.

Paper I.

Hadiqa of Bana'i (Newal Kishore ed.) Chapters I and V.
Qasa'id of Zanir-i Faryabi all the Persian Qasidas.
Tazkira of Dawlat Shah.

Paper II.

Qasaid of 'Urfa.
Divān of Nasir-i-Khusraw-i-'Alawi (Bombay edition) pages 1-100.

Paper III.

(a) *Guscha-i-Murod* : the Muqaddima and the 1st Maqalla.
 (b) *Kimiya-i-Sadat* of Ghazali, pages 1-30.
Haji Baba Isfahani (Bengal Asiatic Society's edition).

Paper IV.

Thatcher : *Arabic Grammar*.
Nafhat-ul Yaman (Press portion only).

Paper V.

Encyclopædia Britannica, article on "Persian Language".
 Platts and Rankin : *A Grammar of the Persian Language*.
 Phillot : *Higher Persian Grammar*.
 Azad : *Sukhandan-i-Fars*.

Paper VI.

Hadiq-ul-Balaghah, I and II Hadiqas or as an alternative Maulana 'Ubaydullah-al-'Ubaydi-al-Suhrawardy : *Dastur-i-Farsi Amuz*.
 Also the grammars mentioned under Paper V : for Prosody and Rhetoric.

Paper VII.

- (a) Browne : *Literary History of Persia*, Vols. I-III.
Encyclopædia Britannica, article on "Persian Literature".
 (a) Sykes : *History of Persia*.
 Von Krenmer : *History of Islamic Civilisation* (translation by Khuda Buksh).
 Weil : *History of Islamic People* (translation by Khuda Buksh).
 Ameer Ali : *The Spirit of Islam*.
 Elphinstone : *History of India* (Muhammadan Period).

PURE MATHEMATICS.

Note.—It is to be understood that in the following list of books, wherever a book is recommended for a subject, students are expected to read those parts of the book only which deal with that particular subject :—

1. Higher Algebra

Chrystal ... Algebra, Part II, Chapters 23-28, 32-34.

2. Higher Plane Trigonometry

Hobson ... Plane Trigonometry.

3. Spherical Trigonometry—

Todhunter ... Spherical Trigonometry (Ed. Leathem).
 MacLellan & Preston ... Ditto.

4. Theory of Equations and Algebra of Quantities—

Burnside and Panton ... Theory of Equations, 2 Vols.
 Elliot ... Introduction to the Algebra of Quantities.

5. Plane Analytical Geometry, including Higher Plane Curves—

Salmon ... Conic Sections.
 Do. ... Higher Plane Curves.
 Ganguli ... Theory of Plane Curves, 2 Vols. (Revised edition).
 Hilton ... Plane Algebraic Curves.
 Loney ... Co-ordinate Geometry, Part II.

6. Geometry of surfaces

Salmon ... Geometry of Three Dimensions, 5th ed., Vol. I, Chapters I-X.
 Bell ... Analytical Geometry of Three Dimensions.
 Forsyth ... Differential Geometry, Chapters IV.

7. Differential Calculus—

Edwards ... Differential Calculus.
 Williamson ... Ditto.
 Gourrat ... Mathematical Analysis, Vol. I. (Trans. by Hedrick, Ginn & Co.).

8. Integral Calculus—

Edwards ... Integral Calculus.
 Williamson ... Ditto.
 Todhunter ... Ditto.
 Gourrat ... Mathematical Analysis, Vol. I. (Hedrick, Ginn & Co.).

9. Differential Equations—

Pinaggio ... Differential Equations.
 Bateman ... Ditto.
 Forsyth ... Ditto.

10. Calculus of Variations—

Byerly	...	Introduction to Calculus of Variations (Harvard University Press).
Todhunter	...	Integral Calculus.
Williamson	...	Ditto.
Bolza	...	Calculus of Variations.

11. (a) Theory of Functions—

Either of the following alternative courses :—

A

MacRobert	...	Functions of a Complex Variable (Macmillan & Co.).
Townsend	...	Functions of a Complex Variable (Henry. Holt & Co.).
Goursat	...	Mathematical Analysis, Vol. II, Part I. (Trans. by Hedrick. Ginn & Co.).

B

Hobson	...	Theory of Functions of a Real Variable, 2 vols. (Selected Chapters) [New Edition.]
Huntington	...	Continuum (Harvard University Press).
Carslaw	...	Fourier's Series and Integrals.

(b) Theory of Groups—

Miller, Blichfeldt and Dickson	...	Finite Groups (John Wiley & Sons).
Hilton	...	Finite Groups (Oxford).
Blichfeldt	...	Finite Collineation Groups (Chicago University Press).
Dickson	...	Algebraic Equations.
Cajori	...	Theory of Equations.

(c) Finite Differences and Calculus of Functions—

Boole	...	Finite Differences.
Barn and Brown	...	Ditto.
Carmichael	...	Calculus of Operations.
Herschel	...	Examples of Calculus of Finite Differences.
Babbage	...	Examples of Functional Equations.
DeMorgan	...	Calculus of Functions.
Fraser	...	Newton's Interpolation Formulas.
E. T. Whittaker & George Robinson	...	A Short Course in Interpolation.

(d) Vector Analysis and Quaternions—

Joly	...	Manual of Quaternions.
Hamilton	...	Elements of Quaternions (Ed. Joly), Vol. I, Books 1-21.
E. B. Wilson	...	Vector Analysis.

(e) Projective Geometry—

Either of the following alternative courses :—

A

Mathews	...	Projective Geometry.
Durell	...	Plane Geometry for Advanced Students, Vol. II.
Cremona	...	Projective Geometry.
Hilbert	...	Foundations of Geometry (Trans. by Townsend. Open Court Publishing Company).

B

Frankland	...	Theories of Parallelism (Cambridge University Press).
Lobatchewsky	...	Theory of Parallels (Trans. Holst, ad. Open Court Publishing Company).
Bolyai	...	Science of Absolute Space (Trans. Holst, ad. Open Court Publishing Company).
Boula	...	Non-Euclidean Geometry (Trans. Carslaw. Open Court Publishing Company).
Carslaw	...	Non-Euclidean Geometry and Trigonometry.
Sommerville	...	Non-Euclidean Geometry.

Manning	... Geometry of Four Dimensions.
Neville	... <i>Ditto</i> .
Hilbert	... Foundations of Geometry (Translated by Townsend, Open Court Publishing Company).
Ganguli	... Geometry of Hyper Spaces, 2 vols.
(f) Theory of Numbers—	
Reid	... Theory of Algebraic Numbers.
Mathews	... Theory of Numbers.
Smith	... Reports on the Theory of Numbers. (Collected Papers, Volume I, pages 38-364.)
Dadekind	... Essays on the Theory of Numbers (Translated by Beman, Open Court Publishing Company).
Huntington	... Continuum (Harvard University Press).
Cantor	... Transfinite Numbers (Translated by P. B. Jourdain, Open Court Publishing Company).

HISTORY.

Paper I.—Selected Period of English History. (The Reign of Queen Victoria, 1837-1901).

Books for study—

J. A. R. Marriot—England since Waterloo.
 Sydney Low—Political History of England. Vol. XII.
 Morley—Gladstone.

For Reference—

Cambridge Modern History, Vols. X-XII.
 Cambridge History of British Foreign Policy, Vols. II-III.
 Egerton—A short History of British Colonial Policy.
 Paul—History of Modern England.
 McCarthy—History of our own times.
 Froude—Dissraeli.
 Morley—Colclen.
 Thursfield—Peel.

Paper II.—Selected Period of Indian History from 600 B. C. to 300 A. D.

Books for study—

Rhys Davids—Buddhist India (Chapters I and II).
 V. A. Smith—Early History of India (4th edition).
 Sir R. G. Bhandarkar—Early History of the Deccan.
 Raychaudhuri—Political History of Ancient India.
 D. R. Bhandarkar—Asoka.
 D. R. Bhandarkar—Carmichael Lectures, First Series.

For Reference—

Mann—Institutes, Chapters 2, 3, 7, 8, 10.
 Kautilya—Arthashastra, Books, 2, 3, 5, 6, 7, 8.
 B. C. Law—Ancient Mid-Indian Kshatriya Tribes.
 Krishnaswami Aiyangar—Contributions of Southern India to Ancient Indian Civilization.
 G. N. Banerjee—India as known to the Ancient World.
 Megasthenes—Indica.
 Yuan Chwang—Records (Translated by Watters).
 Periplus of the Erythraean Sea (Translated by Schoff).
 P. N. Banerjee—Public Administration in Ancient India.
 R. C. Majumdar—Corporate Life in Ancient India.

Paper III.—General History of the Ancient East.

Books for Study—

Breasted—History of Egypt.
 King—History of Babylon.
 Dimsted—History of Assyria.

For Reference—

Breasted—Development of Religion and Thought in Ancient Egypt.
 Jastrow—Civilization of Babylonia and Assyria.
 Cambridge Ancient History, Vols. I and II.
 Hall—The Ancient History of the Near East.

Paper IV.—Constitutional History of England.

To be studied with special reference to the documents in :—

Adams and Stephens—Select Documents of English Constitutional History

The following books may be consulted :—

A. Stubbs—English Constitutional History.

Hallam—English Constitutional History.

May—English Constitutional History.

Maitland—English Constitutional History.

Adams—English Constitutional History.

Pollard—The Evolution of Parliament.

B. Stubbs—Select Charters.

Prothero—Select Constitutional Documents (1558-1625).

Tanner—Tudor Constitutional Documents.

Gardiner—Constitutional Documents of the Puritan Revolution.

Robertson—Select Statutes, Cases and Documents.

Paper V.—International Law.

Oppenheim—International Law.

Hall—International Law.

Stowell and Munro—International Law Cases, 2 vols.

Pollock—League of Nations.

P. N. Banerjee—International Law in Ancient India.

Garner—Development of International Law in the 20th Century.

Papers VI and VII.—Any one of the following subject—**(i) HISTORY OF ISLAM.****(A)**

Muir—Caliphate.

Zeydan—Umayyades and Abbasides.

Khuda Buksh—Islamic Civilization.

Do. —Orient under the Caliphs.

Do. —Politics in Islam.

Goldziher—Mohamed and Islam (Dr. Seelye) (Yale University Press).

Freeman—History and Conquest of the Saracens.

Gibbon—Decline and Fall of the Roman Empire, Chapters 50-52, 56-59, 64, 65, 67, 68.

Ameer Ali—History of the Saracens.

Hitti—Origins of the Islamic State (Columbia University Press).

Aghnides—Mohammedan Theories of Finance (Columbia University Press).

Cambridge Mediaeval History, Volume II, Chapters 10-12.

For Study :—

Elphinstone—History of India.

Thomas—Chronicles of the Pathan Kings of Delhi.

Erskine—History of India under Babar and Humayun.

Vincent Smith—Akbar

Hani Prasad—Jahangir.

Sarkar—History of Aurangzib.

Irvine—Later Moghuls.

Keene—Fall of the Moghul Empire.

For Reference :—

Elliot and Dowson—History of India.

(ii) SPECIAL PERIOD OF INDIAN HISTORY.

One of the following alternative courses :—

A.

History of Bengal, Political, Administrative, Social and Economic, 1757-1793.

For Study :—

Mill and Wilson—History of British India.

Monckton Jones—Warren Hastings in Bengal.

Forester—State Papers (Warren Hastings).

Hunter—Annals of Rural Bengal.

R. C. Dutt—Economic History of India under Early British Rule.

Ascoli—Land Revenue Administration.

Fifth Report of the Select Committee on the Affairs of the East India Company, Bengal Presidency, including Grant's Analysis, edited by Firminger.

For Reference :—

Golam Hussein Khan—*Siyar-ul Mutakhirin*.
 Verelst—*View of English Government in Bengal*.
 Holt—*Considerations on Indian Affairs*.
 Forrest—*Life of Clive*.
 Gleig—*Warren Hastings*.
 Burke—*Speeches on the Impeachment of Warren Hastings*.
 Cowell—*History of the Courts and Legislative Authorities in India*.
 Stephen—*Nuncomar and Impey*.
 Beveridge—*Trial of Nandakumar*.
 Buxted—*Echoes of Old Calcutta*.
 Long—*Selections from the unpublished Records of Government*.
 Carey—*Good Old Days of John Company*.
 Cornwallis—*Correspondence* (Ed. Ross).

B.

History of the Rajputs (from the advent of the Mahommedans in India to the treaty with the English in 1818).

(ENGLISH).

Tod—*Annals and Antiquities of Rajasthan*.
 Do.—*Travels in Western India*.
 Rajputana Gazetteer—*Edited by Major Esikine, 1908-09*.
 Haravilas Sarda—*Rana Kumbha*.
 Do.—*Rana Sanga*.
 Elliot—*History of India as told by its own Historians*.
 Brooke, J. C.—*History of Mewar*.
 Stratton, J. P.—*Chitor and the Mewar Family*.
 Lala Sitaram—*History of Sirchi*.

(HINDI).

Pandit Gaurisankar Ojha—*History of Sirchi*.
 Tod—*Rajasthan*, edited by Gaurisankar Ojha.
 Nuta Nemi Khyata.
 History of Jaisalmer (published by the Jaisalmer Darbar).
 Devi Prasad—*History of the Kings of Jaipur and Jodhpur*.
 History of Bikaner (Nagari Pracharini Sabha).

C.—*History of the Mahrattas*.*For Study :*

Grant Duff—*History of the Mahrattas* (Oxford University Press).
 Ranade—*Rise of the Mahratta Power*, Vol. I.
 Malcolm—*Memoir of Central India*, Vol. I (Chapters 5, 6, and 7).
 Ranade—*Introduction to the Peshwas' Diaries*.
 Do.—*Currencies and Mints under Mahratta Rule*.
 S. N. Sen—*Documents and Extracts relating to the Maratha History*, Vol. I, Shivaji
 (Calcutta University).
 S. N. Sen—*Administrative System of the Marathas*.

For Reference :—

Sarkar—*Shivaji and His Times*.
 Forrest—*Selections from Bombay Records—Mahratta Series*.
 Owen—*Selections from Wellesley's Despatches*.
 Do.—*Selections from Wellington's Despatches*.
 Franklin—*Shah Alum*.
 Elphinstone—*Official Writings of Mountstuart Elphinstone*, Ed. Forrest.
 Elliot—*History of India*, Vols. VII and VIII.
 Ferishta—*History of the Deccan* (Tr. Scott).
 W. H. Tone—*Some Institutions of the Mahrattas*.
 Aitchison—*Treaties*.

D.—*History of the Sikhs*.*For Study :—*

Cunningham—*History of the Sikhs*.
 Macauliffe—*The Sikh Religion*.
 Mohan Pand—*Dabistan-i-Mazahib*, Vol. II (Translated by Trayer and Sues).
 Irvine—*Later Mughals*, Vol. I.
 Gough and Innes—*The Sikhs and the Sikh Wars*.
 Bell—*Annexation of the Panjab*.

For Reference—

M. Latté—History of the Punjab.
 Gokulchand Narang—The Transformation of Sikhism.
 Lajpat Gaddi—Ranjit Singh.
 Baird—Private Letters of the Marquis of Dalhousie.
 Despatches of Gough and Hardinge.
 Prinsep—Origin of the Sikh Power in the Punjab.
 Malcolm—Sketch of the Sikhs.
 Osborne—Court and Camp of Ranjit Singh.
 Aitchison—Treaties.
 Honigberger—Thirty-five years in the East.
 Carmichael Smyth—The Reigning Family of Lahore.

(iii) THE CONSTITUTIONAL HISTORY OF BRITISH INDIA AND THE BRITISH DOMINIONS.

To be studied with special reference to the documents in :—

Keith—Selected Speeches and Documents on British Colonial Policy, Vols. I and II, 1763-1917.

Lord Durham's Report, Edited by Lucas.

Egerton and Grant—Selected Speeches and Despatches relating to Canadian Constitutional History.

Eybers—Selected Constitutional Documents Illustrating South African History 1795-1910.

Egerton—Federations and Unions within the British Empire.

P. Mookerjee—Indian Constitutional Documents.

Keith—Speeches and Documents on Indian Policy, Vols. I and II, 1750-1921.

Montagu—Chelmsford Report.

P. Mookerjee—The Indian Constitution.

The following books may be consulted :—

• Todd—Parliamentary Government in the British Colonies.

Polley—Federal Systems of the United States and the British Empire.

Egerton—A Short History of British Colonial Policy.

Keith—Responsible Government in the Dominions, 3 vols.

Munro—The Constitution of Canada.

Moore—The Constitution of the Commonwealth of Australia.

Wise—The making of the Australian Commonwealth.

Brand—The Union of South Africa.

Bryce—Modern Democracies.

Ilbert—Government of India.

Courts—Dyarchy.

• Cowell—Courts and Legislative Authorities in India.

Ghoshe—Comparative Administrative Law.

Ilbert and Meston—The New Constitution of India.

Horne—Political System of British India.

(iv) MODERN HISTORY OF CHINA AND JAPAN.**China.**

Sih-Gung-Cheng—Modern China—A Political Study.

Boulger—Short History of China.

Golovin—The Problem of the Pacific in the 20th Century.

Bland and Backhouse—China under the Empress Dowager.

Willoughby—Foreign Rights and Interests in China.

Dō. —China at the Washington Conference.

Reinach—An American Diplomat in China.

H. M. Vinacke—Modern Constitutional Development in China.

Bertrand Russell—Problem of China.

S. H. F. Mac Nair—Modern Chinese History Selected Readings.

Douglas—Europe and the Far East.

Reid—China, Captive or Free?

Millard—Conflict of Policies in Asia.

For Reference—

The China Year Books, 1912-1924.

Japan.

• W. M. McGovern—Modern Japan, Its Political, Military and Industrial Organisation.

George Uyahara—Political Development of Japan, 1867-1909.

Count Okuma—Fifty years of New Japan.

• Hishida—International Position of Japan as a Great Power.

• Foster—American Diplomacy in the Orient.

Porter—The Full Recognition of Japan.

Hishida—The International Policy of Japan.
 Longford—Story of Korea.
 Wensle (Simpson)—The Reshaping of the Far East.
 Millard—American and the Far Eastern Question.
 Kaku Kawakamagi—Americo-Japanese Relations.
 Douglas—Europe and the Far East.
 The Japan Year Books, 1910-1924.
 MacLaren—Political History of Japan during the Meiji Era.

(v) ECONOMIC HISTORY OF ENGLAND AND INDIA.

Cunningham—Growth of English Industry and Commerce.
 Bowley—History of England's Foreign Trade in the XIXth Century.
 Traill—Social England, Vol. VI. Economic Section.
 Huxton—Finance and Politics.
 Ashley—Economic Organisation.
 R. C. Dutt—Economic History of India under Early British Rule.
 Do. —India in the Victorian Age.
 Ascoli—India in the Victorian Age.
 Banerjee—Early Revenue History of Bengal.
 Report of the Indian Industrial Commission.
 Imperial Gazetteer of India, Vols. III and IV (Economic portions).
 History of Commerce in India, 1765-1918.

For Study:—

(vi) COMPARATIVE POLITICS.

Bryce—American Commonwealth.
 Do. —Modern Democracies.
 Coulange—Ancient City (Tr. Small).
 Ward Fowler—The City-State of the Greeks and Romans.
 Maine—Ancient Law (Chapters 1, 2, 3 and 5).
 Sidgwick—Development of European Polity.
 Freeman—Comparative Politics.
 Woodrow Wilson—Constitutional Government.
 Lowell—Governments of France, Italy and Switzerland.
 Vincent—Switzerland.
 Wallace—Government of England.
 Ogg—Government of Europe.
 Lask—Authority in the Modern State.
 Ghosal—Hindu Political Theories.

For reference:—

Kautilya—Arthashastra.
 Pramathanath Banerjee—Public Administration in Ancient India.
 Aristotle—Constitution of Athens.
 Zimmern—Greek Commonwealth.
 Mookerjee—Local Government in Ancient India.
 Majumdar—Corporate Life in Ancient India.
 Law—Aspects of Ancient Indian Polity.
 Sarkar—Political Institution and Theories of the Hindus.
 Greenidge—Greek Constitutional History and Roman Public Life.
 Jaywal—Hindu Polity.

(vii) DEMOCRACY AND NATIONALISM IN EUROPE, 1815-1878.

Andrew, C. M.	...	Historical Development of Modern Europe.
Hazen, C. D.	...	Europe since 1815.
Rose, J. Holland	...	Development of European Nations.
Webster, C. K.	...	The Congress of Vienna.
Bourgeois, E.	...	History of Modern France.
Simpson, F. A.	...	Louis Napoleon and the Resettlement of the French Empire.
Quedalia, P.	...	The Second Empire.
Fisher, H. A. L.	...	Bonapartism.
Ward, A. W.	...	Germany.
Grant Robertson, G.	...	Bismarck.
King, Bolton	...	History of Italian Unity.
Cesareo, Countess Martinengo	...	Cavour.
King, Bolton	...	Mazzini.
Lager, L.	...	A History of Austria-Hungary.
Marriott, J. A. R.	...	The Eastern Question.
Cambridge History of British Foreign Policy (Vols. II and III).		
Cambridge Modern History (Vols. X and XI).		
Miller	...	Ottoman Empire and its Successors.

(1925) ANTHROPOLOGY.

Outlines of Physical and Cultural Anthropology—

Haddon	...	Keane's Man: Past and Present, Chapters I, II, VI, XII, XV, and conspectus of other Chapters.
Marrett	...	Anthropology, Chapters VI-X.
Keane	...	Ethnology, Chapters I-XII.
L. K. A. Iyer	...	Lectures on Indian Ethnography.
Baines	...	Ethnography, Introduction.
Risley	...	The Peoples of India, Chapters I, II, IV, V and VI.
Chanda	...	The Indo-Aryan Races, Chapters I-V.
D. R. Bhandarkar	...	Foreign Elements in the Hindu Population, <i>Indian Antiquary</i> , 1911, pages 7-37.
S. C. Ray	...	Principles and Methods of Physical Anthropology.
Hill Tribes of Assam	(General knowledge).	

Candidates are recommended to use the following as a preliminary course:—

Tylor	...	Anthropology.
Duckworth	...	Prehistoric Man.
Haddon	...	Wanderings of Peoples.
Do.	...	History of Anthropology.

ANCIENT INDIAN HISTORY AND CULTURE.

(COMPULSORY PAPERS.)

(1) *General History of Vedic and Epic India.*

For Study—

- Cambridge History of India, Vol. I, Chapters III, IV, V, IX, X and XI.
- Macdonell and Keith—Vedic Index.
- Kaegi—Rigveda.
- Zimmer—Altindisches Leben, Book I, Chapter I and Book II, Chapter I.
- Raychaudhuri—Political History of Ancient India, Part I.
- Das—Rig-Vedic India.
- Srinivas Iyengar—Life in Ancient India.

For Reference—

- Jacobi—Das Ramayana.
- Hopkins—The Great Epic of India.
- D. R. Bhandarkar—Carmichael Lectures, First Series (1918).
- Muir—Sanskrit Texts, Vol. V.
- Macdonell—History of Sanskrit Literature.

(2-3) *Political History of the post-Epic period.*

For Study—

- V. A. Smith—Early History of India (3rd edition).
- D. R. Bhandarkar—Asoka.
- Bombay Gazetteer, Vol. I.
- Raychaudhuri—Political History of Ancient India (pages 45-310).
- D. R. Bhandarkar—Carmichael Lectures, First Series (1918).
- Stein—Rajatarangini (Introduction).

For Reference—

- Cambridge History of India, Vol. I, Chapters I, II, VII, XIII to XXIV.
- V. A. Smith—Asoka (3rd edition).
- Krishnaswami Aiyangar—Contributions of Southern India to Ancient India Civilisation.
- Pargiter—Dynasties of the Kali Age.
- B. C. Law—Mid-Indian Kshatriya Tribes.

(4) *Historical Geography of Ancient India.*

For Study—

- Cunningham—Ancient Geography of India (Published by Chakravarty Chatterjee).
- Watters—Yuan-Chwang.
- Fleet—Topographical List of the Brihatsambhita (Indian Antiquary, 1893, pages 169-195).
- Pargiter—Translation of the Markandeya-Purana (Bhuvanakosa only).

For Reference—

- Fa Hien—Travels.
- Ptolemy—Geography of India.
- Macdonell and Keith—Vedic Index (Geographical portions).
- Foucher—Notes on the Geography of Gandhara.
- Sir John Marshall—Guide to Taxila.

(OPTIONAL PAPERS.)

I - ARCHAEOLOGY (A).

(1-2 Epigraphy.)

Inscriptions of Asoka.

Inscriptions of Kharsela, Nunga and Satavahana Kings.

Inscriptions of the Kshatrapa Families.

Inscriptions of the Imperial Gupta Dynasty.

Inscriptions of the Pala and Sena Dynasties.

(3-4 Numismatics.)

V. A. Smith	... Catalogue of Coins in the Indian Museum (up to the end of the Gupta period)
Percy Gardner	... Catalogue of Indian Coins in the British Museum
Rapson	... Catalogue of Coins Andhras, Western Kshatrapas, etc.
Allan	... Catalogue of Coins Gupta Dynasties.
Whitehead	... Catalogue of Coins of the Punjab Museum, Lahore, Vol. I
Bhandarkar	... Carmichael Lectures (Second Series).

ARCHAEOLOGY (B)

(1-2 Fine Arts and Iconography.)

V. A. Smith	... History of Fine Arts in India and Ceylon
Havell	... Indian Sculpture and Painting.
Gopinath Rao	... Elements of Hindu Iconography
Grunwedel	... Buddhist Art in India
Foucher	... Beginnings of Buddhist Art
G. N. Hanerjee	... Hellenism in Ancient India
R. T. Bhattacharyya	... Indian Buddhist Iconography

(3-4 Ancient Architecture.)

Fergusson	... History of Indian and Eastern Architecture, Vols. I-II.
Havell	... Ancient and Medieval Architecture of India.

II. - SOCIAL AND CONSTITUTIONAL HISTORY

(1-2 Social and Economic Life and Administration)

Zimmer	... Altindisches Leben.
Rhys Davids	... Buddhist India
Hillebrandt	... Ritualiteratur, Chapters I II (Grundriss Series).
Plek	... Die Soziale Gliederung in Nordostlichen Indien (Translated by S. Mitra).
Kautilya	... Arthashastra.
Rangaswami Aiyangar	... Ancient Indian Polity
Mahabharata	... Santi-parva, Section 56-157
P. N. Hanerjee	... Public Administration in Ancient India.
Manu	... Institutes (Trans. Bühler)
Gautama and Bauddhayana	... Dharma Sutras
Gobhila	... Grihya Sutras (8 card books of the East Series)
Macdonell and Keith	... Vedic Index.
Cambridge History of India, Vol. I.	
Alberuni	... India (omitting the Mathematical details). (Trans. Sachse.)
Principles of the Erythraean Sea	(Trans. Schöff)
D. B. Bhandarkar	... Carmichael Lectures, First Series (1918).
R. C. Majumdar	... Corporate Life in Ancient India.
R. K. Mukherjee	... Local Government in Ancient India.
G. N. Hanerjee	... India as known to the Ancient World.
Ghosal	... Hindu Political Theories.
Sarkar	... Political Institutions and Theories of the Hindus.
N. Law	... Aspects of Ancient Indian Polity.
B. C. Law	... Mahatmya Glans of Ancient India.

N. C. Banerjee

... Economic Life and Progress in Ancient India (Vol. I).

S. K. Das

... Economic History of Ancient India.

For Reference—

Jayaaswal

... Hindu Polity.

*(4) Ethnology.**For Study—*

Haddon

... Races of Man.

Risley

... The Peoples of India with Appendices.

D. R. Bhandarkar

... Foreign Elements in the Hindu Population.

Gupte, B. A.

... Craniometrical Data from the Indian Museum, Calcutta.

Ruggeri

... Systematic Anthropology of Asia (Trans. Chakladar).

For Reference—

Chanda

... The Indo-Aryan Races, Part I, Chapters I, II and V.

III.—RELIGIOUS HISTORY.

*(General.)**For Study—*

Hopkins

... Religions of India (Handbook on the History of Religions series).

Barth

... Les Religions de l'Inde et Bulletins des religions de l'Inde, Vols. I and II.

Barth

... Religions of India.

Elliot

... Hinduism and Buddhism.

Gupte

... Hindu Holidays and Ceremonies.

Barua

... Pre-Buddhist Philosophy.

Oldenberg

... Introduction to the Grihya Sutras

Hopkins

... Ethics of India.

For Reference—

Keith

... Veda of the Black Yajus, Vol. I.

(1) Vedic Religion.

Bloomfield

... Religion of the Veda.

Macdonell

... Vedic Mythology.

Hillebrandt

... Ritual literature, Chapters I, III and IV.

For Reference—

Keith

... Vedic of the Black Yajus, Vol. I.

(2) Epic and Puranic Religions.

R. G. Bhandarkar

... Vaishnavism, Saivism and Minor Religious Systems (omitting XVI—XXV of Part I).

Hopkins

... Epic Mythology.

Raychandhuri, H. C.

... Early History of the Vaishnava Sect.

(3) Buddhism.

Rhys Davids

... American Lectures.

Mrs. Rhys Davids

... Buddhism.

Kern	... Manual of Buddhism.
Spence Hardy	... Manual of Indian Buddhism.
(Nordenberg	... Buddha.
I-tsing	... Records of the Buddhist Religious (Takakusu).
Fa Hien	... Travels (Legge).
Warren	... Buddhism in Translations.
Barua	... Ajivikas.
Stein	... Serindia.
Suzuki	... Outlines of Mahayanism.

Jainism.

Jacobi	... Introduction and Translation of the Jaina Sutras. Parts I and II (Sacred Books of East, Vols. XXII, XLV).
R. G. Bhandarkar	... Report on the Search of Sanskrit Manuscripts in the Bombay Presidency during the year 1883-84, pages 91-157.
Buhler	... On the Indian Sect of the Jainas, translated and edited with an outline of Jaina Mythology by Burgess.
Vijyanandasuri	... Sri Jainatattvadarsa.
Bib. Ind. Series	... Uvasagudharva.
Barua	... The Ajivikas.

IV.—INDIAN ASTRONOMY AND MATHEMATICS.

(1) Mathematics.

Selected texts on Mathematics for critical, historical and comparative study :—

Thibaut	... On the Sulva Sutras (J. A. S. B., Vol. 44). The Paudit, Vols 9 and 10 (Old Series) : Vols. I and 4 (New Series).
Burk	... Das Apastamba Sulva Sutras. (Z. D. M. G., Vols 55 and 56).

(2) Mathematics.

History of Mathematics, with special reference to the work of Aryabhatta I, Varaha Mihira, Brahmagupta, Mahavira, Sridhara and Bhaskaracharya.

The following books are recommended :—

Aryabhatiyam	... Edited by Dr. Kern.
Brahmasphuta-Siddhanta	... Edited by Pd. Sudhakara Dvivedi.
Sridhara	... Trisatika, edited by Pd. Sudhakara Dvivedi.
Lilavati and Vijaganita	... Edited by Pd. Sudhakara Dvivedi, or Edited by • Pd. Rathaballabh Jyotistirtha, or edited by H. C. Banerjee.

Colebrooke	... Translation of the Lilavati and the Vijaganita, and the Chapters on Mathematics in the Brahmasphuta-siddhanta.
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Smith, D. E.—Hindu Arabic Numerals.

(3) Astronomy.

Selected text on Astronomy for critical, historical and comparative study :—

Surya Siddhanta.	... Editions and Translations recommended.
Surya Siddhanta—With Ranga Natha's Commentary.	... Translated by Burgess and Whitney (J. Am. Orient Society Vol. VI).
Ditto	...

(d) Astronomy.

History of Astronomy, with special reference to Jyotisha-Vedanga, Jaina Astronomy, the (modern) Sanyasa Siddhanta, and to the works of Aryyabhatta I, Varaha Mihira, Brahmagupta, Munjala and Bhaskaracharyya.

The following books are recommended :—

Text-books.

Yajusha Jyotisham—By Pandit Sudhakara Dvivedi.

Thibaut—Contributions to the Study of the Jyotisha-Vedanga (J. A. S. B., 1877).

Ditto —On the Suryaprajnapti (J. A. S. B., 1880).

Aryyabhattiyam—Edited by Dr. Kern.

Pancha-Siddhantika—Translated by Dr. Thibaut and Pandit Sudhakara Dvivedi.

Brahmasphuta-Siddhanta—Edited by Pandit Sudhakara Dvivedi.

Bhaskara-Siddhanta Siromani—Edited by Pandit Bapudev Shastri or by Pandit Bapudev Shastri and Wilkinson.

Playfair—(1) On the Astronomy of the Brahmans.

(2) On Trigonometry of the Brahmans (Collected Works, Vol. III).

For reference.

Bentley—Hindu Astronomy.

Brenand— Ditto.

Whitney—Oriental and Linguistic Studies (Series II, 1875).

The Twelfth Essay—The Lunar Zodiac on the views of Biot and Weber respecting the relations of the Hindu and Chinese systems of asterisms; with an addition on Muller's views, etc.

Max Müller—On Ancient Hindu Astronomy and Chronology (preface to Rig Veda, Vol. 4).

Tilak—The Orion.

Ditto—The Arctic Home of the Vedas.

Davis, S.—On Hindu Astronomy (As Res, Vol. II).

V.—Anthropology.

Paper V.

Physical Anthropology, including Origin and Antiquity of Man—

Haddon	... Keane's Man: Past and Present.
Risley	... The People of India, Chapter I.
Chanda	... The Indo-Aryan Races, Part I, Chapters I and II.
Keane	... Ethnology.
Ruggeri	... Systematic Anthropology of Asia.

Paper VI.

Social Anthropology—

Marret	... Anthropology (Home University Library), Chapters VI-X.
Risley	... The People of India, Chapters II and III-IV.
Chanda	... The Indo-Aryan Races, Chapters II and III-IV.
Clodd	... Animism.
Haddon	... Magic and Fetishism.

Paper VII.

Pre-Historic Archaeology and Technology—

Parkyn	... Pre-Historic Art.
Osborn	... Men of the Old Stone Age.
Mitra	... Pre-Historic Cultures and Races of India.
O. T. Mason	... Primitive Art.

Paper VIII.

Indian Ethnography, with special reference to Bengal or Assam—

L. K. A. Iyer	... Lectures on Ethnography (Calcutta University).
Haines	... Ethnography.
Risley	... Ethnographic Appendices—Census of India, 1901.

Generalised accounts of the Tribes and Castes of the Bengal Presidency from Risley's Tribes and Castes of Bengal, Ethnographical Glossary, or the Tribes and Castes of Assam.

Note.—Candidates are recommended to use the following as a preliminary course:—

Duckworth	... Pre-Historic Man.
Haddon	... Wanderings of Peoples.
Ditto	... History of Anthropology.
Tylor	... Anthropology.

Comparative Philology.

Paper I.

Bloomfield, L.	... Introduction to the Study of Language (G. Bell).
Tucker, T. G.	... Introduction to the History of Language (Blackie).
Jespersen, O.	... Language (Allen).
Bréal, M.	... Semantics (Heinemann).
Sweet, H.	... History of Language (Dent).
Bhandarkar Commemoration Volume, Essays 29 and 31.	

Paper II.

Noel-Armfield	... General Phonetics (Heffer).
Dumville, B.	... The Science of Speech (London University Tutorial Series).
Uhlenbeck, C. C.	... Sanskrit Phonetics (Luzac).
Whitney, W. D.	... Sanskrit Grammar, sections 1-260 and 591-98.
Wright, J.	... Comparative Grammar of the Greek Language (Oxford), sections 28-238. (The portions not dealing with Sanskrit may be omitted.)
Clodd, E.	... Story of the Alphabet.
Encyclopædia Britannica (11th edition): Articles on Accent, Alphabet, Chinese Language, Cuneiform, Egyptian (writing only), Phonetics and Writing.	
Macdonell, A. A.	... Vedic Grammar for Students (especially on the Accent).

Paper III.

Whitney	... Paragraphs 261-1245 (omitting the paragraphs mentioned under Paper VI).
Wright	... Paragraphs 239-575. (The portions not dealing with Sanskrit may be omitted.)

Paper IV.

Gune, P. D.	... Introduction of Comparative Philology, pages 160-222.
Bhandarkar, Sir R. G.	... Wilson Philological Lectures.
Chattopadhyaya, B. K.	... Prakrit Prakasa.
Woolner, A. C.	... Introduction to Prakrit (Panjab University).
Bhattacharyya, Vidhusekhara	... Pili Prakasa.
Rhys Davids, T. W.	... Buddhist India, Chapters VII-X.
Imperial Gazetteer of India, Vol. II, Chapter VI.	

Paper V.

Gune	... Pages 223-52.
Bhandarkar	... As for Paper IV.
Chatterji, S. K.	... A Brief Sketch of Bengali Phonetics.
Majumdar, B. C.	... History of the Bengali Language.
Grierson, Sir G. A.	... The Languages of India (from the Bulletin of the School of Oriental Languages, Vol. I, London).

Imperial Gazetteer of India, Vol. II, Chapter XI.

Encyclopædia Britannica (11th edition): Articles on Bihari, Bengali, Gujarati, Hindi (Eastern and Western), Hindustani, Marathi, Oriya, Pahari, Rajasthani, Sindhi and Urdu.

Paper VI.

Apte, V. S.	... Guide to Sanskrit Composition (especially for the instances quoted).
Whitney	... 261-305, 486, 506-7, 512, 572, 582, 591-98, 776-79, 821-83, 926-30, 943-50, 960, 967, 980-88, 991-95, 999, 1040, 1073-95, 1126-30, 1240-1316.
Spotter, J.	... Sanskrit Syntax.

Paper VII.

Encyclopædia Britannica (9th edition): Article on Aryan.

Tucker ... Chapter II.

Haug, M. ... Essays on the Religion of the Persia.

Hasting's Encyclopædia of Religion and Ethics: Article on Aryan Religion.

(Alternative A)—

Taraporewala, I. J. S. ... Selections from Avesta and Old Persian (First Series) (Calcutta University).

Jackson, A. V. W. ... Avesta Grammar.

Johnson, E. J. ... Historical Grammar of the Ancient Persian Language.

Dhalla, M. N. ... Zoroastrian Theology } (For reference only.)
Zoroastrian Civilisation }*(Alternative B)—*

Caldwell, R. ... Comparative Grammar of the Dravidian Languages (3rd edition).

Dravidian Studies (3 parts) (Madras University).

Subbaiyya, K. V. ... Dravidian Philology (Indian Antiquary, 1909-11-13).

Hoffmann, J. ... Mandari Grammar.

Lodding, P. O. ... Materials for a Santali Grammar.

Sten Konow ... Dravidian Philology (Indian Antiquary, 1903).

* Encyclopædia Britannica: Articles on Brahui, Dravidian, Languages, Kanarese, Malayalam, Tamil, Telugu, Tibeto-Burman.

Kittel ... Kannada Dictionary (Introduction).

Experimental Psychology.*Paper I.—Physiological.*

Lickley	...	The Nervous System.
Greenwood	...	Physiology of the Special Senses (Selections).
Wundt	...	Physiological Psychology (Selections).
Titchener	...	Text-book of Psychology.
Myers	...	Text-book of Experimental Psychology.
Kulpe	...	Outlines of Psychology.
Wundt	...	Ditto.
James	...	Principles (Selections).
Stout	...	Analytic Psychology (Selections).
Rand	...	Classical Psychologists.
Watson	...	Psychology.

Paper II.—Abnormal Psychology.

Mercier	...	Text-book of Insanity.
Sidis and Goodhart	...	Multiple Personality.
Prince	...	The Unconscious.
Jung	...	Analytical Psychology.
Freud	...	Interpretation of Dreams.
Ditto	...	Hysteria and other Psychoneuroses.
Ditto	...	Introduction to Psychoneurosis.
Hitschmann	...	Freud's Theory of Neuroses.

Paper III.—Animal Psychology.

Holmes	...	Evolution of Animal Intelligence.
Lloyd Morgan	...	Comparative Psychology.
Washburn	...	Animal Mind.
Thorndike	...	Animal Intelligence (Selections).
Loeb	...	Comparative Anatomy of the Brain and Comparative Psychology (Selections).
Romanes	...	Animal Intelligence.
Holthouse	...	Mind in Evolution.

Paper IV.—Child Psychology.

Koffka	...	The Growth of the Mind.
Tierrold	...	Mental Deficiency.
Pyle	...	Educational Psychology.

Munro	...	...	History of Education (Modern Period).
Thorndike	...	...	Educational Psychology (Briefer Course).
Tracy	...	...	Psychology of Childhood.
Kirkpatrick	...	...	Fundamentals of Child Study.

Papers V-VIII.—Practical.

Myers	...	...	Text-book of Experimental Psychology, Vol. II.
Titchener	...	...	Students' Manual—Qualitative and Quantitative.
Sanford	...	...	Experimental Psychology.
Whipple	...	...	Physical and Mental Tests.

*Anthropology.**Paper I.**Physical Anthropology, Zoological and Palaeontological—*

W. H. L. Duckworth	...	...	Morphology and Anthropology, Vol. I (2nd edition).
Osborn	...	...	Men of the Old Stone Age.
Elliot-Smith	...	...	Evolution of Man.

*Paper II.**Physical Anthropology, Morphological, Physiological and Psychological—*

Haddon	...	...	Keane's Man: Past and Present, 1920.
G. Ruggieri	...	...	Outlines of Systematic Anthropology of Asia (Tr. H. C. Chakladar).
Riley	...	...	The People of India.
			Types of Mental Defectives.

*Paper III.**Cultural Anthropology, Archaeological and Technological—*

Burkitt	...	...	Prehistory.
Osborn	...	...	Men of the Old Stone Age.
P. Mitra	...	...	Prehistoric India.
Kroeber	...	...	Anthropology.

*Paper IV.**Cultural Anthropology, Linguistic and Social—*

Lowie	...	...	Primitive Society.
Goldenweiser	...	...	Early Civilization.
Frazer	...	...	Golden Bough (Abridged edition).

Candidates are expected to possess only an elementary knowledge of the evolution, and classification of languages but knowledge of primitive culture in India should be acquired.

GROUP A.*Paper V.*

Race—Race Characteristics. Physical characters to distinguish the various races and sub-races of man. Geographical distribution of races. Influence of environment on physique.

Racial History of the Caucasian Peoples of Asia and North Africa.

Riley	...	...	Tribes and Castes of Bengal, Anthropometric data.
M. A. Camplink	...	...	Aboriginal Siberia.
L. K. A. Iyer	...	...	Cochin Tribes and Castes (Introduction).
Bhandarkar	...	...	Foreign Elements in Hindu Population.
Chanda	...	...	Indo-Aryan Races.
Dixon	...	...	The Racial History of Man.
T. A. Joyce	...	...	"On the Physical Anthropology of the Oasis of Khotan and Keriya" of the Journal of the Royal Anthropological Institute, Vol. 33, pages 315-24.
			"Notes on the Physical Anthropology of Chinese Turkestan and the Pamirs"— <i>Ibid.</i> Vol. 42, pages 450-84.
Lushan	The Early Inhabitants of Western Asia (Huxley Memorial Lecture for 1911), J.R.A.I., Vol. 41, pp. 221-44.

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|-------------------------|-----|---|
| C. G. Seligmann | ... | The Physical Characters of the Arabs, J. B. A. I., Vol. 47, p. 214. |
| G. Elliot-Smith | ... | The Ancient Egyptians (Harper's Library of Living Thought, 1919). |
| C. G. & B. Z. Seligmann | ... | Some Aspect of the Semitic Problem in the Anglo-Egyptian Sudan, J.B.A.I., Vol. 43, pp. 593-705. |

Paper VI.

Selected primitive tribes of India :—

Oraon, Munda, Birhor, Ho, Santal, Kharias, Juang, Malpahariya Bhuniya and Bhumiij.

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|-----------|-----|--|
| S. C. Roy | ... | The Oraons of Chota Nagpur.
The Mundas and their Country.
The Birhors. |
| Russell | ... | Essay on Bhuniyas in Tribes and Castes of the Central Provinces. |
| Dalton | ... | Ethnology of Bengal. |

District Gazetteers of Ranchi, Singhbhum, Santal Parganas etc.

GROUP B.

Paper V.

Social Anthropology with special reference to the Primitive Tribes of India.

- | | | |
|-----------------|-----|---|
| Bartlett | ... | Psychology and Primitive Culture. |
| Hodson | ... | Primitive Culture in India. |
| W. H. R. Rivers | ... | Kinship and Social Organization. |
| Westermarck | ... | History of Human Marriage (Abridged edition). |

Paper VI.

As in Group A, Paper VI.

GROUP C.

Social Anthropology with special reference to the religious and social institutions of the Indian peoples other than primitive tribes.

Paper V.

Vedic religion :—

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|-------------------------|-----|--------------------|
| Macdonell | ... | Vedic Mythology. |
| Hillebrandt | ... | Ritual Literature. |
| Ramendra Sundar Trivedi | ... | Yajna-Katha. |

Pauranic :—

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|--------------|-----|---|
| Raghunandana | ... | Durgotsavattva. (Tithi-tattva, with Bengali Translation "published by the " Bangabasi, Press).
Essay on Puranas : their origin and character—
Sir Asutosh Com., Vol. I. |
| Hopkins | ... | Epic Mythology. |

Tantrik :—

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|--------|-----|-----------------------|
| Avalon | ... | Principles of Tantra. |
|--------|-----|-----------------------|

Folk religion :—

The Cult of Manasa (Personal observation and investigation).

Paper VI.

A detailed and comparative study of the Social organisation, Religious practices, Customary laws, Caste institutions, Manners and Customs of the higher castes of the Pancha Ganda areas.

- | | | |
|------------|-----|---|
| Risley | ... | Tribes and Castes of Bengal. |
| Crooke | ... | Tribes and Castes of North-Western Provinces. |
| Hibbertson | ... | Punjab Castes. |
| Row | ... | Glossary of the Punjab Tribes and Castes. |
| Haine | ... | Ethnography. |

Paper VII.

Field and Laboratory work under the general guidance of Professors in Physical Anthropology.

Paper VIII.

Field work under the general guidance of Professors in Social Anthropology.

Indian Vernaculars.**BENGALI.**

(PRINCIPAL SUBJECT.)

Paper I.

History of Bengali Literature from the earliest times down to 1850.
Special period—Vaishnava Literature during the Sixteenth Century.

Books recommended—

D. C. Sen	...	...	History of Bengali Language and Literature (Calcutta University).
Ditto	...	...	Vaishnava Literature of Medieval Bengal (Calcutta University).
Ditto	...	...	Chaitanya and his Companions (Calcutta University).
Ditto	...	...	Folk Literature of Bengal (Calcutta University).
Ditto	...	...	The Bengali Ramayanas (Calcutta University).
S. K. De	...	...	History of Bengali Literature, 1800-1825 (Calcutta University).
Saankamohan Sen	...	...	Vangavali

Paper II.

(1) Vanga Sahitya Parishad, edited by D. C. Sen (Calcutta University), Vol. I, pages 379-402 (Dharmamangala); pages 406-521 (Ramayana); pages 607-638 (Mahabharata).

(2) Gopichandrer Gan, pages 1-56 (published by the Calcutta University).

(3) Sri Krishna Kirtan, pages 332-338; Radha-Viraha (published by Sahitya Parishad).

Paper III.

Mukundrama Kavikankana	...	Chandimangala (the Kalaketu Story only).
D.C. Sen	...	Maymansinha Gitika.
Michael Madhusudan Datta	...	Meghnadbadha Kavya.
Dinabandhu Mitra	...	Niladarpana.
Girishchandra Ghosh	...	Asoka.

Recommended (for reference only):—

Lal Mohan Vidyasathi	...	Kavya-nirnaya.
Syamaprasad Mookerjee	...	History of the Bengali Stage ("Calcutta Review," January 1921).
Beharilal Chakrabarti	...	Saradamangal.

Paper IV.

(a) Development of Prose Style in Bengali Literature, 1800-57.

(Candidates are recommended to refer to D. C. Sen's Bengali Prose Style.)

(b) Influence of Western Culture on Bengali Literature, 1870-1900, with special reference to the works of Bankimchandra and Rabindranath.

In Papers II and III, 75 marks shall be allotted to the texts and 25 marks to the unseen passages.

Questions on the texts shall include—

- Questions on the subject-matter and on the language of the prescribed books (historical, geographical, critical questions and literary allusions are not excluded).
- Questions on grammar and prosody arising from the texts.
- Questions on the life and literary career of the authors whose works are prescribed.

Papers V and VI.

(See under "Subsidiary Languages.")

Paper VII.

(See under "Basic Languages.")

Paper VIII.

B. C. Mazumdar
S. K. Chatterji

... History of the Bengali Language.
... A Brief Sketch of Bengali Phonetics (International Phonetic Association, University College, London).

HINDI.

(PRINCIPAL SUBJECT.)

Paper I.—History of Literature.

History of Hindi Literature from Chanda Bardai (12th Century) down to Bahu Harischandra.

Special subject.—Religious Literature of Hindi Vaishnava poets in the 15th and 16th centuries.

Books recommended—

A Short History of Hindi Literature (Hindi Sahitya ka Samkshipta Itihas) by the Misra Brothers.

The Origin of Hindi Language and Literature, by Pandit Mahabir Prasad Drivedi.

Hindi Bhasha, by Pandit Bal Mukund Gupta.

Vernacular Literature of Hindustan, by Sir George Abraham Grierson.

Hindi Literature (Heritage of India Series).

Grierson

... Tulsidas.

Misra Brothers

... Misra-bandhu-vinod.

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Paper II.—Old Texts.

Chanda Bardai

... Prithviraj Rayas. (Select portions in the Kavita Kaumudi of Ram Naras Tripathi.)

Surdas

...

... Sur Sagar, Canto X; Vinaya Patrika.

Tulsidas

...

... Ram-charita-manas. Selection by Nyam Sundar Das (Indian Press); Vinaya Patrika.

Jayasi

...

... Padumavat, Part I.

Kesavdas

...

... Ram-chandrika.

Kabir

...

... Selections (Rachanavali, edited by Pandit Ajodhya Singh Upadhyay).

Paper III.—Medieval and Modern Texts.

Bhushan Granthavali

... Sammelan edition (Select portions).

Biharilal

...

... Satsai.

Pandit Ambikadatt Vyas

...

... Sukavi Satsai.

Harischandra

...

... Chaudravali.

Paper IV.—Essay Paper.

(a) Development of Hindi Literature, 1850-1900.

(b) Persian Influence on Hindi Literature.

Papers V and VI.

(Subsidiary Languages.)

Paper VII.

(Basic Languages.)

Paper VIII.

Hoernle

...

... Comparative Grammar of the Gaudian Languages.

Lyall

...

... Article on Hindustani (in the Encyclopedia Britannica, 9th edition).

Kellogg

...

... Grammar of the Hindi Language.

Groves

...

... Grammar of Tulsidas.

E. Groves

...

... Hindi Grammar (Indian Press).

MAITHILI.

(PRINCIPAL SUBJECT.)

Paper I.

History of Maithili Literature from the earliest times (the thirteenth century down to Chanda Jha).

Special subject—Age of Vidyapati.

Paper II.

Jyotirishvar Thakur	...	Varnaratnaker.
Vidyapati	...	Kirti Lata.
Govind Das	...	Padyasaugraha.
Ramadas Jha	...	Anand Vijay.
Harshanath	...	Ushaharana.
Unapati	...	Parijataharana.

Paper III.

Harshanath	...	Madhavananda.
Jivan Jha	...	Sundar Samyog.
Lal Das	...	Ganes Khand.
Jivan Jha	...	Samavati Punarjanma Natak.

Paper IV.

Influence of Persian on Maithili.

Development of Maithili Literature, 1850-1900.

Papers V and VI.

(Subsidiary Languages.)

Paper VII.

(Basic Languages.)

Paper VIII.

Dhara Nath Misra	...	Mithila Sabda Prakas.
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ORIYA.

(PRINCIPAL SUBJECT.)

Paper I.

General History of Oriya Literature from the earliest times to 1803 A.D.

Special period—from 1420 to 1568.

The following books and articles are recommended :—

- (1) Syamasundara Rajaguru's Prahadhaval.
- (2) Tarinicharana Rath's Utkala Sahitya Itihasa.
- (3) M. M. Chakravarti's Essay in J. A. S. B. for 1898, No. 4.
- (4) Introductory Essays to Vol. I and Vol. II of Typical Selections from Oriya Literature by H. C. Mazumdar, published by the Calcutta University.

Paper II.

The following portions from the Oriya Sahitya Parichaya, Vol. I (published by the Calcutta University), pages 1-276, pages 366-440.

*Paper III.**A. Modern—*

- (1) Upendra Bhattacharya's Lavanyasati, as in the "Typical Selections from Oriya Literature", Vol. II, pages 73-108.
- (2) Abhinavanyu Samanta Singhar's Vidagha Chintamani, as in the "Typical Selections from Oriya Literature", Vol. II, pages 309-324.
- (3) Kisor Chandra Chandra Chandra, by Ratadeva Kaviyarya.

B. Modern—

- (1) Radhanatha Ray's Mahayana.
- (2) Madhuranatha Rao's Vasant Gatha.
- (3) Fakir Mohan Senapati's Lachhina.

Paper IV.

- (1) Influence of Upendra Bhanja on the post-Upendra Bhanja Literature of Orissa.
- (2) Growth of Modern Oriya Literature under influence of Western culture.

Papers V and VI.

(Subsidiary Languages.)

Paper VII.

(Basic Languages.)

Paper VIII.

The following books are recommended :—

- (1) Such portions from Beames' Comparative Grammar of Seven Aryan Languages as relate to Oriya in comparison with Bengali and Hindi.
- (2) B. C. Majumdar's Lectures on the History of Bengali Language, Lectures X, XI, XII and XIV.

GUJRATI.

(PRINCIPAL SUBJECT.)

*Paper I.*History of Gujarati Literature from the earliest times to A. D. 1900.
Special subject—Parsi Writers of Gujarati during the 19th century.

Books recommended :—

- | | | |
|---------------------------|-----|---|
| K. M. Jhaveri | ... | Milestones in Gujarati Literature. |
| D. C. Derasari | ... | Sathina Sahityanu Digdarsan. |
| K. M. Jhaveri | ... | "Parsi Gujarati Sahitya" in the Viamti Sadi. |
| A. B. Dhruva and I. J. S. | ... | Selections from Gujarati Literature (Calcutta University), the introductory essay to each writer. |
| Taraporewala, | | |

Paper II.

Old Gujarati and Rajasthani :—

- | | | |
|--------------------|-----|--|
| Padmanabh | ... | Kanhad De Prabandh (Derasari's edition). |
| Bhalan | ... | Kadambari (Kantawala's edition). |
| Rathor Prithvi Raj | ... | Veli Kisma Rukmani (Tessitori's edition, Asiatic Society of Bengal). |

Old Gujarati Collections published by the Baroda Government.

Paper III.

Medieval and Modern Texts :—

- | | | |
|-----------------------|-----|---|
| Premanand | ... | As given in Selections from Gujarati (Calcutta University). |
| Dyaran | ... | |
| Narmadashankar | ... | Naruna Kavita. |
| Dalpatram | ... | Forbes Viraha and Dalpat Kavya. |
| Kalapi | ... | Kekarava. |
| Govardhanram Tripathi | ... | Sarasvatichandra. |

Paper IV.

Special subjects :—

- (1) Women writers in Gujarati.
- (2) Akho and Samal.

Papers V and VI.

(Subsidiary Languages.)

Paper VII.

(Basic Languages.)

Paper VIII.

R. L. Turner	...	Gujarati Phonology (Journal of the Royal Asiatic Society, 1921).
L. P. Tessitori	...	Notes on the Grammar of Old Western Rajasthani (Indian Antiquary, 1914-16).
Sir G. A. Grierson	...	Linguistic Survey of India, Vol. IX (Introduction to Gujarati and Rajasthani).
N. B. Divatia	...	History of the Gujarati Language.

Scholarship Languages.

Papers V and VI on any one of the following :—

(i) BENGALI.**Texts.**

University Selections for Prose and Poetry.

Grammar.

G. F. Nicholl	...	Manual of the Bengali Language.
J. D. Anderson	...	Bengali Manual.

History of Literature.

Students are recommended to consult Dinoshandra Sen's History of Bengali Language and Literature and Introduction to Typical Selections from Bengali Literature.

B. N. Sen	...	Modern Bengali Literature ("Calcutta Review," January 1924).
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(ii) ASSAMESE.**Texts.**

Hankaradeva	...	Rakmini Haran.
Bhattadeva	...	Katha Gita (first three chapters).
Lakshminath Bezbarua	...	Kripabar Barbardar Kakatar Topala.
Mafizuddin Ahmad	...	Junus Malini.
Rajanikanta Bardoloi	...	Manomati.

Grammar.

Hemchandra Barua	...	Assamiya Vyakaran.
Devananda Bharali	...	Assamiya Bhashar Maulik Bichar.
Nityanath Bora	...	Sahitya Bichar.
Devananda Bharali	...	Anglo-Assamese Grammar.
G. F. Nicholl	...	Assamese Grammar (in Bengali Manual).

Literary History.

Devendranath Bezbarua	...	Assamiya Bhasha Ara Sahityar Baranji.
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(iii) ORIYA.**Texts.**

Jagannath Das	...	Bhagavata (Selections as in Typical Selections from Oriya, Vol. I).
Madhusudana Rao	...	Kusumanjali.
Biwanath Kar	...	Bibidha Prabandha.

Grammar.

Radhanatha Ray	...	Vyakaran Pravasa.
K. C. B. Hallam	...	Oriya Grammar.

Literary History.

Introductory Essays to Typical Selections from Oriya.

(iv) MARATHI.

Texts.

Gadyaratna Samuchchay, Part I.
Navani, pages 47-48, 159-71, 281-410.

Grammar.

Ramchandra Bhikaji Joshi ... Prandhabodh Vyakaran.
G. R. Navalkar ... Marathi Grammar.

Literary History.

Bhave ... Maharashtra Saraswat.
M. K. Nalkarni ... A Short History of Marathi Literature.

(v) HINDI.

Texts.

Ramdasra Misra ... Sahitya Sudhakar.
Ditto ... Sahitya Sushama.
Tulasidas ... Selections by Shyam Sundar Das.

Grammar.

Kellogg ... Grammar of the Hindi Language.
Pincott ... Hindi Manual.
Etherington ... Bhasha-Bhaskar.
Garcin de Tassy ... Chrestomathie Hindie ou Hindouie.

Literary History.

Grierson ... Vernacular Literature of Hindustan.
Keay ... Hindi Literature.

(vi) GUJARATI.

Texts.

Nanddasankar ... Kurān Ghelo (Abridged edition).
Munshi, K. M. ... Gujrat ek samskarik vyakti (Sahitya Prem, Bombay).
Anjaria and Kurip Mohamad ... Kavita Praves.
St. Clair Tisdall ... Simplified Grammar of the Gujarati Language (Trivinar).
Taylor, G. P. ... The Student's Gujarati Grammar (Thacker, Bombay).
Trivedi, K. P. ... Mudhya Vyakaran.
Jhaveri, K. M. ... Milestones in Gujarati Literature.

(vii) URDU.

Texts.

Kalam-i-Urdu (Board of Examiners).
A'innya i-Ibrat, Part II.
Taubatu-n-Nasuh (Nazir Ahmed).
Nazm-i-Muntakhab.

Grammar.

Palmer ... Simplified Grammar of Hindustani, Persian and Arabic.
Giles ... A Practical Hindustani Grammar.
Forbes ... Hindustani Grammar.
Pittis ... Ditto.

Literary History.

Garcin de Tassy ... Histoire de la Littérature Hindouie et Hindoustanie.
Azad ... Ab-i-Hayat.

(viii) TAMIL.

Texts.

Purnalingam Pillai	...	Primer of Tamil Literature.
Ditto	...	Vivaka Vilakkam.
Ditto	...	Seyyal Kovai.
Ditto	...	Vasuka Thirattu.
Matriculation Selections (Madras University).		

Grammar and Literary History.

Wickremasinghe	...	Tamil Grammar Self-taught.
Pope	...	Tamil Handbook.
Ditto	...	Catechisms of Tamil Grammar, I-II.
Arden	...	Progressive Grammar.
Article on Dravidian Languages (Encyclopædia Britannica).		

(ix) TELUGU.

Texts.

Narasimham and	...	Ananda Readers, Parts III and IV.
Narasimharow	...	
Matriculation Selections (Madras University).		

Grammar and Literary History.

Brown	...	Telugu Grammar.
Morris	...	Simplified Telugu Grammar.
Arden	...	Telugu Grammar, 1895 ; Telugu Companion Reader, 1879.
Article on Dravidian Languages (Encyclopædia Britannica).		

(x) MALAYALAM.

Texts.

Fourth Reader	...	} Basel Mission (Mangalore).
Twelfth Reader	...	
Gadya Malika, Part II	...	
Matriculation Selections (Madras University).		

Grammar and Literary History.

Gundert	...	Catechism of Malayalam Grammar (Madras, 1881).
Fohrmeyer	...	Progressive Grammar of Malayalam (Mangalore, 1889).
Pett	...	Malayalam Grammar (Cottayam, 1841).
Article on Dravidian Languages (Encyclopædia Britannica).		
History of Malayalam Literature.		

(xi) KANARESE.

Texts.

Padya Sara, Part I, pages 1-39.	
Katha Sangraha, Part I, pages 1-98.	
Ditto, Part II, pages 210-80.	
Nirnala (or She Steps to Conquer in Kanarese).	
Matriculation Selections (Madras University).	

Grammar and Literary History.

Kittel	... Grammar of Old and Modern Kannada (Mangalore, 1901).
Spencer	... Kanarese Grammar (Mysore, 1914).
Rice	... History of Kanarese Literature.
Subbadasa (Kanarese).	
Article on Dravidian Languages (Encyclopædia Britannica).	

(xii) SINHALESE.

Texts.

Gunasekara	... Kusajatakakavya, 150 verses.
Gunawardhana	... Subhshitaya, 50 verses.
Samarasekara	... Sinhalese Translation of Dighanikaya, Vol. I (Brahmajālasutra and Ambatthasutra only).

Grammar and Literary History.

Wickremasinghe	... Sinhalese Grammar (London, 1916).
Gunasekara	... Comprehensive Sinhalese Grammar (Colombo, 1891).
Gurulu Goro	... Amawatura (Chapters 2, 3 and 4 only), cited by Jayatilaka.

(xiii) MAITHIL.

Texts.

Ramanand Thakur	.. Mahabharatsar.
Grierson	... Chrestomathy.
Chanda Jha	... Ramayan.

Grammar and Literary History.

Grierson	... Vernacular Literature of Hindustan.
Ditto	... Maithili Grammar, 2nd edition.
Gangapati Singh	... Bal Maithili Vyakaran.

Basic Languages.*Paper VII.*

Any two of the following :—

(i) PALI.

Frankfurter	... Pali Handbook.
Muller	... Simplified Pali Grammar.
Vicfor Henry	... Precis de Grammaire Palie.
Vidhussekhar Sastri	... Pali Prakasa.
Anderson	... Pali Reader—Select portions, viz :—

Suttasumard Jataka, pages 1-2.

Sihacampā, J., pages 8-9.

Baveru, J., pages 18-19.

Silanissamsa, J., pages 28-29.

Mahesadha's Judgment, pages 58-62.

Cattari Pubbanimittani, pages 63-64.

No Continuous Personal Identity, page 99.

Rebirth is not Transmigration, pages 100-101.

Padhana-Sutta, pages 102-104.

Dhanīya Sutta, pages 104-105.

Selections from the Dhammapada, pages 106-107.

(ii) PRAKRIT.

Vararuchi
Hajankara
Woolner

... Prakrita Prakasa.
... Karpuramanjari.
... Introduction to Prakrit.

(iii) PERSIAN.

M. T. Dattachauji
M. Kasim Shirazi
Ditto
Platts and Rankin
Rosen
Kanga
St. Clair Tisdal

... First Steps in Persian
... New Persian Selections (Board of Examiners).
... Nahl-Amus-i-Farsi, Part I.
... Persian Grammar
... Ditto.
... Hints on the Study of Persian.
... Persian Conversational Grammar, pages 1-100.

English.

COMMON PAPERS FOR GROUPS A AND B.

Part I—General History of English Literature

(No text-books.)

Paper II—Drama.

Shakespeare
Aeschylus
Ben Jonson

... King Lear, Antony and Cleopatra
... Agamemnon (Fr. Morehead)
... The Alchemist

Paper III—Poetry

Spenser
Milton
Tennyson
Dryden

... Fairie Queene I
... Paradise Regained
... In Memoriam
... Selections (Christie)

Paper IV—Prose

Plato

Burke
Emerson
Archbold, W. A.

... The Four Socratic Dialogues (Euthyphro, Apology, Crito, Phaedo, Tr. Jowett, Preface by Caird, Oxford)
... French Revolution.
... Representative Men
... Recent Essays.

GROUP A.

Paper V. (a) Chaucer and (b) Outlines of Historical English Grammar.

(a) Chaucer

... The Book of the Duchess, ll. 1-290; House of Fame, Book II. The Legend of Good Women (Cleopatra & Thisbe). Lak of Steadfastness; The Former Age. Gentleman; Truth. The Compliment of Chaucer to his Purse; The Prologue to the Canterbury Tales; The Pardoner's Tale with its Prologue (Group C, ll. 379-968)

(b) Otto Jespersen

... Growth and Structure of the English Language (Trubner, Leipzig)
... History of the English Language (Macmillan)

Chaucer ...

*Paper VI.—Selected Period of Poetry.***Early Nineteenth Century Poetry (1798-1832).**

The undermentioned authors are recommended for special study in their chief works as specified below ; but candidates will not be expected to show a detailed knowledge of the texts named :—

Wordsworth	... Prelude, Books XI, XII, XIII : Excursion, Book I : Selections by Matthew Arnold (Golden Treasury Series).
Coleridge	... Selections by Stopford A. Brooke (Golden Book of Coleridge, Dent).
Byron	... Vision of Judgment ; Selections by Matthew Arnold (Golden Treasury Series). Childe Harold's Pilgrimage.
Shelley	... Prometheus Unbound ; Selections by Stopford A. Brooke (Golden Treasury Series).
Keats	... Hyperion ; Eve of St. Agnes, Lamia, Isabella.

Golden Treasury of Songs and Lyrics (Palgrave), Book IV.
Selections from English Poets, edited by Ward, Vol. IV.

*Paper VII.—Selected Period of Prose.***Early Nineteenth Century Prose (1798-1832).**

The undermentioned authors are recommended for special study in their chief works as specified below ; but candidates will not be expected to show a detailed knowledge of the texts named :—

Wordsworth	... Prefaces and Appendices (Oxford edition).
Scott	... Talisman ; Old Mortality ; Kenilworth.
Coleridge	... Biographia Literaria, omitting Chapters 5-9 and 12.
Lamb	... Essays of Elia.
Landon	... Selections by Sidney Colvin (Golden Treasury Series).
Jane Austen	... Pride and Prejudice.
Hazlitt	... English Literature, edited by Zeitlin (Oxford University Press).
De Quincey	... Confessions of an Opium Eater.
Shelley	... Defence of Poetry.

GROUP B.*Paper V.*

English Language and Literature prior to 1100 A. D.

Sweet—Anglo-Saxon Reader, Part I, omitting pieces XII, XXVIII, XXX, XXXI, XXXII, XXXIII, XXXIV (9th edition, Clarendon Press, Oxford).

Paper VI.

English Language and Literature from 1100 A. D. to 1500 A. D., including Chaucer.

Chaucer—In addition to the texts prescribed for the "A" Group—Troilus and Criseyde, Books I and II.

Morris—Specimens of Early English, Part I, omitting pieces II, III, IV, VIII, X, XI, XIII, XV, XVII, XIX.

Morris and Skeat ... Specimens of Early English, Part II, omitting pieces I (B), II, VI, VII, VIII, IX, XI (B), XI (C), XIII, XVII (B), XVIII (A).

Paper VII.

Historical English Grammar (including the Elements of Teutonic Philology).

Books recommended for study :—

Wright, J. and E. M.	... Old English Grammar (Oxford University Press).
Wright, H. C.	... Historical Study of the Mother Tongue (Murray).
Ditto	... A Short History of English (Murray).
Greenough and Kittredge	... Words and their Ways in English Speech (Macmillan).

Paper VIII.

Essay or Essays on Subjects connected with the Course.

Mental and Moral Philosophy.**Paper I History of Ancient European Philosophy.**

The following books are recommended :—

Ueberweg	...	History of Philosophy.
Caird	..	Development of Theology in the Greek Philosophers, Vols. I and II
Zeller	..	Plato or
Ross	...	Aristotle or
Burnett	...	From Thales to Plato
Inge	..	The Philosophy of Plotinus

Students will be expected to have a special knowledge of the system of Plato or Aristotle and to show an acquaintance with the following special texts

Plato's Republic and Aristotle's Ethics

Paper II Medieval and Modern European Philosophy

The following books are recommended :—

Kudmann	...	History of Philosophy, Vol. II
De Wulf	...	History of Medieval Philosophy (Longmans)
*Watson	.	Philosophy of Kant as contained in extracts from his own writings
Radhakrishnan	.	Reign of Religion in Contemporary Philosophy.

Paper III Outlines of Indian Philosophy

The following books are recommended

Rhys Davids	...	Dialogues of Buddha Vol. I
*The Ten Upanishads	..	..
*Madhuscharya	.	Sarvatantra Singsha (Cowell and Gough) Charvaka, Bauddha, Athava, Ramanuja Vaishishika, Nyaya, Sankhya, Patanjali Systems
Seal, B. N.	..	Positive Sciences of the Ancient Hindus (Chapter I, pages 1-50, VI (pages 218-19) and VII)
Kokileswar Shastri	.	Introduction to Advaita Philosophy
Vijuhari	.	Panthicism and the Value of Life
Das Gupta, S. N.	.	History of Indian Philosophy
S. Radhakrishnan	.	Indian Philosophy, Vol. I
Dr. Ganganath Jha	...	Prabhakara School of Purva Mimamsa (Chapter II)

Papers IV, V, VI and VII

Any two of the following subjects to be selected by the candidate, two papers being set in each

(I) PSYCHOLOGY

The following books are recommended

*James	.	Principles of Psychology
*Stout	..	Analytic Psychology
Lloyd Morgan	..	Comparative Psychology.
McDougall	...	Physiological Psychology
Herbert Hart	...	Psychology of Insanity
Woodworth	...	Psychology.

(II) LOGIC

Students are allowed to take any one of the following two alternative courses in Logic

- (1) Course in Epistemology and Inductive Logic and Methodology
- (2) Course in Metaphysics and Dialectics

* Candidates are expected to possess a thorough acquaintance with the books marked with an asterisk.

The following books are recommended :—

(a) *Logic as Epistemology and Methodology*—

* Bosanquet	...	Logic.
Mill	...	System of Logic.
Hobhouse	...	Theory of Knowledge
Bradley	...	The Principles of Logic.
Johnson	...	Logic.

(b) *Logic as Metaphysics and Dialectic*—

* Kant	...	Critique of Pure Reason.
Wallace	...	"Logic of Hegel" and Prolegomena.

(iii) ETHICS AND SOCIAL PHILOSOPHY.

The following books are recommended :—

* Green	...	Prolegomena to Ethics.
* Sidgwick	...	Methods of Ethics and Short History of Ethics.
Wundt	...	Ethics.
Kant	...	Theory of Ethics.
Herbert Spencer	...	Data of Ethics.
* Guiding	...	Principles of Sociology.

Students will be expected to show an acquaintance with either of the following texts :—

- Aristotle's Ethics or Spinoza's Ethics.

(iv) PHILOSOPHY OF RELIGION.

The following books are recommended :—

Lotze	...	Outlines of the Philosophy of Religion.
* Hegel	...	Philosophy of Religion (Spiers and Sanderson), Part I.
* Royce	...	The Conception of God.
Pringle Pattison	...	Idea of God (Gifford Lectures).
		Idea of Immortality.
Sorley	...	Moral Values and the Idea of God (Gifford Lectures).

(v) SPECIAL BRANCH OF INDIAN PHILOSOPHY.

Any one of following groups :—

- (1) Nyaya Sutras of Gautama with Bhashya of Vatsyayana.
The Bhasha-Paricheheda with Siddhanta Muktavali.
- (2) The Sankhya Sutras with Pravachanabhashya of Vijnanabhikshu.
The Yoga Sutras with Vyasa-bhashya.
- (3) The Vedanta Paribhasa.
Sankara's commentary on the Vedanta Sutras (the first four Sutras and Adhyaya II, Padas I and II).
Ramanuja's commentary on the Vedanta Sutras (the first four Sutras).
- (4) The Sutras of Kanada with Bhashya of Prasastapada.
The Bhasha-Paricheheda with Siddhanta Muktavali.
- (5) Sankara—Commentary on the Vedanta Sutras—Thibaut (the first four Sutras).
• Ramanuja—Commentary on the Vedanta Sutras—Thibaut (the first four Sutras).
Ishvarakrishna—Sankhyakarika, translated by Colebrooke.
Prasastapada—Padarthadharmanasamgraha, translated by Ganganath Jha (Reprint from the "Pandit").

* Candidates are expected to possess a thorough acquaintance with the books marked with an asterisk.

G. N. BANERJEE,

Secretary, Council of Post-Graduate Teaching in Arts.

ASHUTOSH BUILDING, the 19th August 1925.

Campbell Medical School and Hospital, Calcutta.**NOTIFICATION.****Examination of compounders of the Campbell Medical School, Calcutta.**

In accordance with the Government of Bengal notification No. 1410Medl., dated the 7th July 1913, notice is hereby given that the next half-yearly examination of compounders will begin at 11 A.M., on Thursday, Friday and Saturday, the 22nd, 23rd and 24th October 1925.

Male candidates must forward to the Superintendent of the Campbell Medical School before the 15th October 1925 an examination fee of Rs. 5. Female candidates will be examined free of charge.

No certificate or fee will be received on Sundays or public holidays.

Should any candidate fail to pass the examination he will forfeit his fee.

NOTE.—The attention of candidates is drawn to rules 9 and 10, of the persons granting the certificates, to rules 11 and 14 (3) and to the certificate forms C (A), D, E and F in the schedule of the Government of Bengal's aforesaid notification as circulated by the Surgeon-General with the Government of Bengal to all Civil Surgeons, Superintendents of Calcutta Hospitals, Medical Schools, Lying-in Asylums and Chief Medical Officers, etc., with his circular No. 25, dated the 22nd July 1923.

E. W. O'G. KIRWAN, M.Sc., M.B., F.R.C.S.I., MAJOR, I.M.S.,
Superintendent, Campbell Medical School and Hospital (offg.).

CALCUTTA, the 12th August 1925.

NOTIFICATION.**Dressers' Examination at the Campbell Medical School, Calcutta.**

PASSED compounders, who have completed a further three months' course of dressing prescribed in rule 13, and students of the Licentiate class of this school on the completion of their second year's course, will be allowed to appear at the Dressership Examination to be held on Wednesday, the 28th October 1925. A fee of Rs. 2 shall be charged for this examination.

Male candidates must forward to the Superintendent of the Campbell Medical School before the 15th October 1925 an examination fee of Rs. 2. Female candidates will be examined free of charge.

No certificate or fee will be received on Sundays or public holidays.

Should any candidate fail to pass the examination he will forfeit his fee.

NOTE.—This examination is also open to persons qualified for admission to the examination prescribed under the rules for the grant of certificates to compounders on production of a certificate that they have received instructions in a hospital or dispensary recognized by Government in handicrafts preparation of antiseptic, incision and dressing, sterilization of dressings and instruments and in the duties of a hospital dresser. Such persons shall be required to pay a fee of Rs. 2 for this examination.

E. W. O'G. KIRWAN, M.Sc., M.B., F.R.C.S.I., MAJOR, I.M.S.,
Superintendent, Campbell Medical School and Hospital (offg.).

CALCUTTA, the 12th August 1925.

NOTIFICATION.**Preliminary Test Examination for admission into the Compounders' Class, Campbell Medical School, Calcutta.**

It is hereby notified for general information that the next examination for admission of students to the compounders' class, Campbell Medical School, Calcutta, will be held on Friday, the 30th October 1925, at 11 A.M.

Candidates desirous of sitting at this examination must send their applications with a fee of Rs. 2 to the Superintendent, Campbell Medical School, Calcutta, between the 1st and 15th October 1925.

Candidates who have passed the Matriculation Examination of the Calcutta University are eligible for admission without examination. They must attend for personal interview on the above date and hour, bringing their Matriculation certificates with them.

No fees will be received on Sundays and public holidays.

E. W. O'G. KIRWAN, M.Sc., M.B., F.R.C.S.I., MAJOR, I.M.S.,
Superintendent, Campbell Medical School and Hospital (offg.).

CALCUTTA, the 19th August 1925.

EDUCATION DEPARTMENT, BENGAL.

NOTIFICATION.

The undermentioned candidate is awarded a Post-Graduate Scholarship of Rs. 100 a month for one year with effect from the 1st July 1935. The scholarship will be drawn from the date on which the scholar actually undertakes his research work -

Serial No	Name of scholar	Subject of research	Place of work
1	Md. Tarnab Ali, M.A.	... History of Alchemy	... Presidency College

K F OALBN

Director of Public Instruction, Bengal.

CALCUTTA the 11th September 1935



THURSDAY, SEPTEMBER 17, 1925.

PART II.

Advertisements.

IMPERIAL BANK OF INDIA.

Statement of the affairs of the Imperial Bank of India on the 4th September 1928.

LIABILITIES.				ASSETS.			
	Ru.	A.	P.		Ru.	A.	P.
Subscribed Capital	11,26,00,000	0	0	Government Securities	14,07,81,000	0	0
Capital paid up	5,02,50,000	0	0	Other authorized securities under the Act	1,12,77,000	0	0
Reserve	1,77,50,000	0	0	Loans	18,59,01,000	0	0
Public Deposits	12,85,86,000	0	0	Cash Credits	27,50,84,000	0	0
Other Deposits	78,93,76,000	0	0	Inland bills discounted and purchased	4,38,78,000	0	0
Loans against securities per contra ... ..	.....			Foreign bills discounted and purchased	22,80,000	0	0
Loans from the Government of India under section 20 of the Paper Currency Act, against inland bills discounted and purchased per contra ... ..	.....			Ballion ... ..	.....	
Contingent liabilities ... ..	.....			Dead Stock	2,75,50,000	0	0
Sundries	87,06,600	0	0	Liability of constituents for contingent liabilities per contra ... ..	.....	
				Sundry	55,00,000	0	0
				Balances with other Banks	4,20,000	0	0
				Cash	64,22,19,000	0	0
					39,82,20,000	0	0
	1,04,04,48,000	0	0		1,04,04,48,000	0	0

The above balance sheet includes -

Deposits in London	...	...	...	...	£ 1,127,000
Advances in London	...	...	...	...	£ 1,100,000
Cash and balances at other banks in London	...	...	...	...	£ 25,000
				Percentage	42.52
				Bank Rate	4 per cent.

S. H. Y. WARREN,
W. LAMB (sup.),
Managing Directors.
(1825-1)

LAND SALE NOTICE.

Advertisement of Sale.

NOTICE is hereby given that only the tenants' rights of the undermentioned plots of land, no longer required by Government, situated along the right and left side of the Ferozepore Railway, in the district of Ferozepore, will be put up to sale at 1 o'clock on 30th of October 1925, corresponding with the 13th Kartik 1352 B. S.

The purchasers of the several plots of land will be subject to the following conditions :-

- 1st.—The purchasers will have no power to make any excavations on the land nearer than fifteen feet from the railway boundary, or to plough the land nearer than three feet from the same.
- 2nd.—If the amount of purchase-money does not exceed Rs. 100, the whole amount must be paid down at once.
- 3rd.—If the amount of purchase-money exceeds Rs. 100, one-fourth of the amount must be immediately deposited. If the balance be not paid by noon of the fifteenth day after the sale, reckoning the day of sale as one, or if that day be a close holiday, then by noon of the first succeeding office day, the sale shall be cancelled, the sum deposited being forfeited to Government, and the lot again put up for sale at the risk of the defaulting purchaser, after issue of advertisement, as in the case of original sale.
- 4th.—The tenants' rights of the plots of land will be sold (or subject to the payment of annual rents of Rs. 1-4 per bigha to the proprietors which will be subject to revision at the next general settlement of the temporarily-settled estates of the district) to the highest bidders.
- 5th.—The sale will become final on receipt by the Collector of the orders of the Commissioner confirming it and a regular conveyance will then be granted to the purchaser.
- 6th.—The plots may be sold either in one lot or in different lots as may be decided by the Collector at the time of the sale.

S. N. of Plots	Name of village	Persons and others	Number of bighas and decimal parts	Situated on which side of the railway	Approximate area of lot in acres and decimals	Land excluded from sale from each lot.		Commencement and termination of lot.	Boundary of lot.
						Reasons for exclusion.	Acres and decimals.		
1	2	3	4	5	6	7	8	9	10
4, 9, 40	Ferozepore	Paragana (the) Ferozepore	100	South of the railway line	1 1 9			Enclosed within Chainage 1982 to 2000	(1) North and South—By railway land. East—By lands of Peari (Domb), Marhara, Jahlri, Madhu, Nandan, Karmakar and Housin Pramanik.
13, 14	Do.	Do.	100	Do.	0 16 19				West—By railway land (vide declaration No. 79 B. dated the 16th August 1914).
20	Do.	Do.	100	Do.	0 0 11				
21, 23, 25	Do.	Do.	100	Do.	1 0 2				(2) North and East—By Sirganj ghāt line land.
7, 17	Do.	Do.	100	Do.	0 17 0				South—By the land of Uma Sundari Dasg.
5, 6, 44, 3	Do.	Meerut, Meerut	100	Do.	1 1 4				West—By the Patna-Sirganj road (vide declaration No. 7337 L.A., dated the 26th July 1913).
8	Do.	Do.	100	Do.	0 1 14				
1, 2, 3, 1, 6	Do.	Do.	100	Do.	1 6 14				(3) In the villages of Mirpur and Mahipora (vide declaration No. 3522 L.A., dated the 29th May 1914).
114	Do.	Do.	100	Do.	0 14 4				
26	Do.	Do.	100	Do.	1 0 0				
28	Do.	Do.	100	Do.	0 11 3				
106, 112, 117	Do.	Do.	100	Do.	0 5 6				
110	Do.	Do.	100	Do.	0 11 14				
119, 124, 6, 10	Do.	Do.	100	Do.	2 1 10				
11, 14	Do.	Do.	100	Do.	1 10 10				
24	Do.	Do.	100	Do.	0 0 3				
2, 7	Do.	Do.	100	Do.	0 12 12				
					10 0 3				

Ferozepore, the 31st August 1925.

K. B. Das Gupta, Collector.

The Commissioners for the Port of Calcutta.

Notice of Sale under sections 112 and 113 of the Customs Port Act, III of 1908 (B.C.).

NOTICE is hereby given that the liability of the Commissioners for the undermentioned goods consigned to order or the undersigned warehouse has, in terms of section 113 of the abovementioned Act, ceased on the expiration of three clear days from the date of landing. These goods accordingly remain on the Port Commissioners' premises at the sole risk and expense of the owners and, if not cleared on or before the 2nd November 1925, on payment of all charges due, will be sold by public auction:—

Date of landing.	Marks and numbers.	Quantity.	Description.
	SHED No. 2. SS. "Kumsang".		
1st Sept. 1925 ...	253 in a diamond, B H on top, & Co below, 1-4.	4	Cases tinware.
1st " " ...	474 in a diamond, C S on top, G M below, 3-4.	2	Cases cotton piece-goods.
1st " " ...	496 5100 " 3 ...	1	Case cotton piece-goods.
1st " " ...	473 823 " 3-4 ...	2	Cases cotton piece-goods.
1st " " ...	472 821 " 3-4 ...	2	Ditto.
1st " " ...	497 900 " 2 ...	1	Case cotton piece-goods.
1st " " ...	480 431 " 2 ...	1	Ditto.
1st " " ...	476 1841 " 3 ...	1	Ditto.
1st " " ...	Chandna 1879 in a diamond, 124-26	3	Cases merchandise.
1st " " ...	26 C A 78 in a diamond, A K on top, & Co below, 2.	1	Case cotton goods.
1st " " ...	492 6666 in a diamond, C S on top, G M below.	1	Ditto.
1st " " ...	447 7252 in a diamond, M C on top, P L below, 4-5.	2	Cases cotton goods.
1st " " ...	453 9939 " 2.	1	Case cotton goods.
1st " " ...	465 3333 " 3-6	4	Cases cotton goods.
1st " " ...	486 4441 " 6-7	3	Ditto.

Date of landing.	Marks and numbers.	Quantity.	Description.
	SHED No. 2—cont.		
	SS. "Kumeang"—cont.		
1st Sept. 1899.	434 in a diamond, M C on top, P L 9956 below, 2.	1	Case cotton goods.
1st " " "	463 " 2 883 " "	1	Ditto.
1st " " "	706 in a diamond, M R on top, K L below, 14.	1	Ditto.
1st " " "	461 in a diamond, M C on top, P L 9999 below, 2	1	Ditto.
1st " " "	469 " 2 9978 " "	1	Ditto.
1st " " "	490 " 2 896 " "	1	Ditto.
1st " " "	445 " 3 8586 " "	1	Ditto.
1st " " "	448 " 5 7076 " "	1	Ditto.
1st " " "	446 " 3 8686 " "	1	Ditto.
1st " " "	441 " 3 6363 " "	1	Ditto.
1st " " "	439 " 5 6161 " "	1	Ditto.
1st " " "	489 " 3-4 6555 " "	2	Cases cotton goods.
1st " " "	491 " 2 440 " "	1	Case cotton goods.
1st " " "	714 in a diamond, M R on top, K L below, 26 27	2	Cases cotton goods.
1st " " "	433 in a diamond, M C on top, P L 8536 below, 3	1	Case cotton goods.
1st " " "	449 " 5 9998 " "	1	Ditto.
1st " " "	487 " 2 444 " "	1	Ditto.
1st " " "	498 in a diamond, N A on top, T Co below, 640 12.	4	Cases cotton goods.

Date of landing	Marks and numbers	Quantity	Description
SHED No. 3rd—cancel.			
SS. "Sommetsdijk"—cancel.			
25th Aug. 1925...	T P M	20	Bales wood pulp.
20th " " ...	467 in a diamond, W J on top, B C below, 155-64.	10	Cases merchandise.
24th " " ...	T H Windt, 1-15 4359	15	Ditto.
SHED No. 5.			
SS. "Mahanada".			
13th Aug. 1925...	2362 in a diamond, L S on top, 1 ...	1	Bale writing paper.
13th " " ...	2364 " 1	1	Ditto.
SS. "Clan Macbride".			
22nd Aug. 1925...	No mark	2	Bags merchandise.
22nd " " ...	" Do.	1	Keg rivets.
22nd " " ...	" Do.	1	Piece casting plate.
22nd " " ...	" Do.	4	Pieces machinery parts (broken).
22nd " " ...	" Do.	1	Piece wheel.
SHED No. 4.			
SS. "Trifels".			
19th Aug. 1925...	B 12, 1	1	Case book.
18th " " ...	87 in a diamond, C D on top, T O M below, 325-41.	7	Cases merchandise.
13th " " ...	Key in a triangle, K L on top, 468 below.	5	Cases playing cards.
13th " " ...	D 53109, 53111-13	1	Case medicine.
13th " " ...	H 10380 Co	1	Case E. ware.
19th " " ...	3925 in a triangle, P P on top, 3854 ...	1	Case faces.
18th " " ...	1121 in a block, L N on top, H M below, 11232-33.	2	Cases merchandise.
17th " " ...	M N M in a diamond	2	Coils wire.
18th " " ...	M in a figure, 16 62 on top, M H below, 1.	1	Coil wire.
13th " " ...	Prasad, 3-6	4	Cases toys.
19th " " ...	466 in a diamond, A C on top, 7 ...	1	Case celluloid sheets.
19th " " ...	31-3-1 in a diamond, S D on top, & E below, 31-28.	5	Cases glass beads.
19th " " ...	S H & E in a diamond, K N on top, L C below, 1871-4.	4	Cases glass bangles.
15th " " ...	274 in a diamond, 2767	1	Case metalware.

Date of landing.	Mark and numbers.	Quantity.	Description.
	SHED No. 2.		
	SS. "Maida".		
24th Aug. 1925...	847 in a diamond, B L on sides	1	Case footwear.
21st " " ...	I D in a diamond, T & Co on sides, Cawnpore below.	3	Cases blotting machinery.
24th " " ...	T 848 in a diamond, J C on sides	1	Case paperware.
22nd " " ...	880 in a diamond, K C on top, D Co below.	1	Crate G. ware.
21st " " ...	M & Sons C G & Co	4	Packages wool and cotton.
24th " " ...	274 in a diamond, M M on top, & Co below.	1	Case cottons.
24th " " ...	275 " " " " " " " "	1	Ditto.
21st " " ...	A W in a diamond	1	Case sample hardware.
24th " " ...	Ashfug in a triangle, H S below	5	Cases boric acid.
24th " " ...	A T A	1	Case cinema film.
21st " " ...	R & Co in a diamond	15	Barrels lubricating oil.
24th " " ...	W T	3	Empty steel drums.
21st " " ...	A cross, J on top, T C on sides, L below, D J.	1	Case paint.
	SHED No. 2.		
	SS. "Talra".		
26th Aug. 1925...	180 755 in a diamond, A D on top, A K below.	1	Case fluey caps.
25th " " ...	F7 25 in a diamond, G P on top, & Sons below.	2	Cases coloured flannel.
25th " " ...	F6 25 " " " " " "	2	Ditto.
26th " " ...	F5 25 " " " " " "	1	Case coloured flannel.
25th " " ...	T A T J & G in a diamond	100	Bundles galangal.
24th " " ...	Messrs. K. A. E. Sadka & Co.	1	Case cotton craps.
24th " " ...	2500 357 in a double triangle, M T on top, A B below.	2	Cases fluey caps.
27th " " ...	906 in a diamond, M A on top, B Co. below.	4	Cases cotton goods.

Date of loading	Ships and numbers	Quantity	Description
	SHED No. 2—Small		
	SS. "Talra"—small		
26th Aug. 1925	502 in a diamond, S A on top, & Co below.	5	Cases needles.
26th "	Sample in a diamond, N A on top, T Co below.	1	Half sample of nuts.
26th "	S P 50000 in a diamond, N A on top, T Co below.	5	Cases cotton goods.
26th "	1782 in a diamond, S M on top, & Co below.	6	Ditto.
26th "	001 in a diamond, S M on top M L below, Delhi.	4	Cases striped flannel.
26th "	002 " " " " " " " "	3	Ditto.
26th "	178 in a diamond, S M on top, & Co below.	10	Cases cotton goods.
26th "	J & N P A T in a diamond " " " "	5	Cases camphor.
	SS. "Tanfield".		
21st Aug. 1925	896 in a triangle, J B on side " " " "	2	Bundles copper sheets.
	DOCK SHED No. 27.		
	SS. "Tonila".		
6th Aug. 1925	E D Sassoon & Co. " " " "	1	Pack of sugar samples.
6th "	K T N C S Calcutta " " " "	1	Ditto.
6th "	M B Kaisha Ltd " " " "	2	Packets sugar samples.
6th "	Hajee Habib Hajee Peer Mohamed " " " "	1	Pack of sugar sample.
	R. S. SHED No. 3.		
	SS. "Totton Maru".		
4th Aug. 1925	Messrs. David Sassoon & Co " " " "	7	Packets sugar sample.

W. A. Buzas, Traffic Manager.

Port Commissioners' Office, Calcutta, Dec 17th September 1925.

(1835—1)

NOTICE.

In the High Court of Judicature at Fort William in Bengal, in insolvency.

TITLE SUIT No. 125 of 1925 (DECLARATORY).

(1) Nafar Chandra Pal Choudhury, son of late Madhusudan Pal Choudhury, (2) Sastri Chandra Pal Choudhury, son of Nafar Chandra Pal Choudhury, of Natadaha, police-station Damerbaha, district Nadia, plaintiffs,

versus,

(1) Umbarali Biswas, (2) Keshab Mandal, (3) Abdar Mandal, (4) Belat Biswas, (5) Ninnai Mallik, (6) Solomon Mahaldar, (7) Panchanan Mandal, (8) Osman Molla, of Bhatgachi, police-station Chapra, district Nadia, defendants.

(9) Joy Durga Dami, (10) Saroj Ranjan Singha, (11) Nihar Ranjan Singha, (12) Minor Kunud Ranjan Singha, represented by certificated guardian Saroj Ranjan Singha, and Bahu Baidya Nath Dutta, pleader of Kantapota, police-station Kotwall, district Nadia, *pro forma* defendants.

Claim estimated at Rs. 2,200.

IT is hereby notified to the public and the villagers of the village Bhatgachi, police station Chapra, district Nadia, that the above suit has been instituted under order I, rule 8 of the Code of the Civil Procedure, for declaration that the standard rate of rent of the *abandi* *lala* land is Rs. 1-2, *basta* land is Rs. 5, *abasta* is Rs. 2-8, *dahi* is Rs. 2-8, *jute* Rs. 2-8, tobacco Rs. 2-8, bamboo Rs. 5, mango and jack fruit Rs. 7-8 and dates Rs. 10 per bigha per annum. If any one wishes to contest the suit, he can do so on 21st October 1925 at 10.30 A.M. On failure of which the case will be heard *ex parte*.

OSMAN ALI, Sub-Judge.

Krishnagar, the 7th September 1925.

(1816—1)

In the High Court of Judicature at Fort William in Bengal, in insolvency.

NOTICE OF ADJUDICATION ORDER.

No. 172 of 1925.

Re Lionel Henderson, residing at No. 5, Dedarbus Lane in the town of Calcutta, and employed as an Engineer under Bengal-Nagpur Railway Company, Garden Reach, *ex parte* the debtor.

Mukherjee & Co., debtor's solicitor.

ON the 26th day of June 1925 an order was made by the High Court of Judicature at Fort William in Bengal in its Insolvency Jurisdiction adjudging the abovenamed as an insolvent.

NOTE.—All debts due to the estate should be paid to me. Dated this 5th day of September 1925.

G. M. FALKNER, Official Assignee.

In the High Court of Judicature at Fort William in Bengal, in insolvency.

NOTICE OF ADJUDICATION ORDER.

No. 236 of 1925.

Re Ramesh Chandra Chatterjee, residing at No. 122-2, Mountain Park Road, in the suburbs of the town of Calcutta and working as a clerk in the service of Messrs. S. S. Chatterjee & Co., a firm carrying on business as commission agents at No. 154, Radhabazar Street in Calcutta aforesaid, *ex parte* the debtor.

R. G. Sen, debtor's solicitor.

ON the 4th day of September 1925 an order was made by the High Court of Judicature at Fort William in Bengal in its Insolvency jurisdiction adjudging the abovenamed as an insolvent.

NOTE.—All debts due to the estate should be paid to me. Dated this 5th day of September 1925.

G. M. FALKNER, Official Assignee.

In the High Court of Judicature at Fort William in Bengal, in insolvency.

NOTICE OF ADJUDICATION ORDER.

No. 237 of 1925.

Re Kila Rika Jodua, of No. 263, Bowbazar Street in the town of Calcutta, formerly a hawker in cloth and now out of employment, *ex parte* the debtor.

N. G. Gupta & Co., debtor's solicitors.

ON the 4th day of September 1925 an order was made by the High Court of Judicature at Fort William in Bengal in its insolvency jurisdiction adjudging the abovenamed as an insolvent.

NOTE.—All debts due to the estate should be paid to me. Dated this 8th day of September 1925.

G. M. FALKNER, Official Assignee.

In the High Court of Judicature at Fort William in Bengal, in insolvency.

NOTICE OF ADJUDICATION ORDER.

No. 238 of 1925.

Re Lallan Khettry, residing at No. 2, Roy Lane in the town of Calcutta, and lately in the service of Ramnath Kissen Kumar, but at present without any occupation, *ex parte* the debtor.

Khanan & Co., debtor's solicitors.

ON the 4th day of September 1925 an order was made by the High Court of Judicature at Fort William in Bengal in its insolvency jurisdiction adjudging the abovenamed as an insolvent.

NOTE.—All debts due to the estate should be paid to me. Dated this 8th day of September 1925.

G. M. FALKNER, Official Assignee.

In the High Court of Judicature at Fort William in Bengal, in insolvency.

NOTICE OF ADJUDICATION ORDER.

No. 239 of 1925.

Re William Stanfield Grosvenor Harvey, lately residing at No. 4-1, Canoe Street in the town of Calcutta, at present residing at No. 49, Theatre Road in Calcutta aforesaid, lately carrying on business as a merchant at No. 5, Dalhousie Square in Calcutta aforesaid, as a partner of the firm of K. Harvey & Co., at present doing nothing, *ex parte* the debtor in person.

ON the 7th day of September 1925 an order was made by the High Court of Judicature at Fort William in Bengal in its insolvency jurisdiction adjudging the abovenamed as an insolvent.

NOTE.—All debts due to the estate should be paid to me. Dated this 8th day of September 1925.

G. M. FALKNER, Official Assignee.

In the High Court of Judicature at Fort William in Bengal, in insolvency.

No. 192 of 1921.

Estate Horikawa Munera (Harkinson Insurance). *Ex parte* the creditor.

NOTICE is hereby given that a dividend is intended to be declared in the above estate and that the same will be paid from this office on proved and admitted claims on or after the 15th September 1925.

G. M. FALKNER, Official Assignee.

Calcutta, the 10th September 1925.

(1833—1)

In the High Court of Judicature at Fort William in Bengal, in insolvency.

No. 91 of 1916.

Estate Saloroy Chatterjee.

NOTICE is hereby given that a dividend at $\frac{3}{4}$ per cent. has been declared in the above estate and that the same is now payable from this office on proved and admitted claims.

(G. M. PALMER, Official Assignee.)

Calcutta, the 10th September 1925.

(1834—1)

In the High Court of Judicature at Fort William in Bengal, in insolvency.

NOTICE is hereby given that dividends as stated below are now payable from this office on proved and admitted claims—

Estate Worman & Co—

1st Dividend at Rs. 0.8 per cent.

Estate Bertram Gordon Magnout—

1st Dividend at Rs. 6 per cent.

Estate Robert James Parnell—

1st Dividend at Rs. 10-12 per cent.

Estate Anantram—

1st Dividend at Rs. 12½ per cent.

Estate Madanlal Gopal Das—

1st Dividend at Rs. 15 per cent.

Estate John Bernard Stanger—

1st Dividend at Rs. 7½ per cent.

Estate Robert H. ...—

1st Dividend at Rs. 10-12 per cent.

(G. M. PALMER, Official Assignee.)

Calcutta, the 4th September 1925.

(1815—1)

No. 164 of 1925

Re. Sukrishna Boppani

Ex parte. Karnam Industrial Bank, Limited, creditors

NOTICE is hereby given that on the 10th day of July 1925 the abovesaid creditors presented a petition before the Hon'ble Mr. Justice Pearson, one of the Judges of the Hon'ble High Court (Original Side) Calcutta, to adjudge you an insolvent and that His Lordship has fixed the 26th November 1925 at 11 o'clock in the forenoon for the hearing of the said application when you are required to show cause why an order of adjudication should not be made against you.

Dated this 8th day of September 1925.

H. G. BANERJEE, Attorney for the creditors
Karnam Industrial Bank, Limited

(1693--1--1706)

ORDER OF ADJUDICATION.

[Section 18 of the Provincial Insolvency Act, III of 1907]

In the 4th Court of the Sub-Judge at Alipore.

INSOLVENCY APPLICATION No. 25 of 1925

PURSUANT to a petition, dated 31st January 1925, filed by Ganga Behari Dhar, of Mayradanga, Chanda Baranagur, 24 Parganas, and on the application of Ganga Behari Dhar and on reading the petition and hearing the petitioner it is ordered that the debtor be and the said debtor is hereby adjudged insolvent on 16th June 1925.

Dated this 27th day of July 1925.

A. T. PAL, Sub Judge.

(1825--1--1674)

ORDER OF ADJUDICATION.

In the 4th Court of the Sub-Judge at Alipore.

INSOLVENCY CASE No. 346 of 1914.

PURSUANT to a petition, dated 18th December 1924, filed by Deenarain Teli, of Kankinara, police-station Kankinara, and on application of Deenarain Teli and on reading the petition and hearing the petitioner, it is ordered that the debtor be and the said debtor is hereby adjudged insolvent on 4th June 1925.

Dated the 27th July 1925.

A. T. PAL, Sub-Judge.

(1542--1--1673)

ORDER OF ADJUDICATION

In the 4th Court of the Sub-Judge at Alipore.

INSOLVENCY CASE No. 105 of 1925

PURSUANT to a petition, dated 27th March 1925, filed by Agline Chandra Maatra, of Arbehia, police-station Basirhat, 24 Parganas, and the application of Agline Chandra Maatra and on reading the petition and hearing the petitioner it is ordered that the debtor be and the said debtor is hereby adjudged insolvent on the 7th July 1925.

Dated this 21st day of August 1925

A. T. PAL, Sub Judge

(1692--1--1694)

ORDER OF ADJUDICATION

In the 4th Court of the Sub-Judge at Alipore.

INSOLVENCY CASE No. 101 of 1925

PURSUANT to a petition, dated 27th March 1925, filed by Ram Khelan Sha, of 52-1, South Road Entally, police station Entally, 24 Parganas, and on the application of Ram Khelan Sha and on reading the petition and hearing the petitioner it is ordered, that the debtor be and the said debtor is hereby adjudged insolvent on 28th July 1925.

Dated this 21st day of August 1925.

A. T. PAL, Sub-Judge

(1693--1--1691)

ORDER OF ADJUDICATION.

In the 4th Court of the Sub-Judge at Alipore.

INSOLVENCY CASE No. 99 of 1925.

PURSUANT to a petition, dated 16th March 1925, filed by Tansiddak Hossain Munchi, of Matia, police-station Matia, 24 Parganas, and on the application of Tansiddak Hossain Munchi and on reading the petition and hearing the petitioner it is ordered that the debtor be and the said debtor is hereby adjudged insolvent on 26th July 1925.

Dated this 21st day of August 1925.

A. T. PAL, Sub-Judge.

(1694--1--1689)

ORDER OF ADJUDICATION

In the 4th Court of the Sub-Judge at
Alipore.

INSOLVENCY CASE No. 207 of 1924.

PURSUANT to a petition, dated 20th November 1924, filed by Nawab Layli Begum, of Metiaburn, police-station Meebikhola, 24-Parganas, and on the application of Nawab Layli Begum and on reading the petition and hearing the petitioner it is ordered that the debtor be and the said debtor is hereby adjudged insolvent on 15th July 1925.

Dated this 21st day of August 1925.

A T PAL, Sub Judge
(1695-1-1695)

ORDER OF ADJUDICATION

In the 4th Court of the Sub-Judge at
Alipore.

INSOLVENCY CASE No. 92 of 1925

PURSUANT to a petition, dated 19th March, 1925 filed by Shank Meher Ah, of 32, Gora Chand Road, police-station Banipur, 24 Parganas, and on the application of Shank Meher Ah and on reading the petition and hearing the petitioner it is ordered that the debtor be and the said debtor is hereby adjudged insolvent on 15th July 1925.

Dated this 21st day of August 1925

A T PAL, Sub Judge
(1696-1-1697)

ORDER OF ADJUDICATION.

In the 4th Court of the Sub-Judge at
Alipore.

INSOLVENCY CASE No. 97 of 1925

PURSUANT to a petition, dated 25th March 1925, filed by Sarat Chandra Bann, of 12 Manasola Lane, Kidderpur, police station Ekbalpur and on the application of Sarat Chandra Bann and on reading the petition and hearing the petitioner it is ordered that the debtor be and the said debtor is hereby adjudged insolvent on 14th July 1925.

Dated this 21st day of August 1925.

A T PAL, Sub Judge
(1697-1-1698)

ORDER OF ADJUDICATION

In the 4th Court of the Sub-Judge at
Alipore.

INSOLVENCY CASE No. 69 of 1925

PURSUANT to a petition, dated 26th February 1925, filed by Haran Chandra Bardar, of Nhrata, police station Behala, post office South Behala, 24 Parganas, and on the application of Haran Chandra Bardar and on reading the petition and hearing the petitioner it is ordered that the debtor be and the said debtor is hereby adjudged insolvent on 14th July 1925.

Dated this 21st day of August 1925

A. T. PAL, Sub-Judge
(1698-1-1699)

ORDER OF ADJUDICATION

In the 4th Court of the Sub-Judge at
Alipore.

INSOLVENCY CASE No. 106 of 1925.

PURSUANT to a petition dated 27th March 1925, filed by Meher and Abdul Bari Mondal, of Dulpore, police-station Nuhati, 24-Parganas, and on the application of Meher and Abdul Bari Mondal and on reading the petition and hearing the petitioner it is ordered that the debtor be and the said debtor is hereby adjudged insolvent on 29th July 1925.

Dated this 21st day of August 1925

A T PAL, Sub Judge.
(1699-1-1695)

ORDER OF ADJUDICATION

In the 4th Court of the Sub-Judge at
Alipore.

INSOLVENCY CASE No. 104 of 1925

PURSUANT to a petition, dated 27th March 1925, filed by Akhil Bhuvan Roy Chowdhury, of 271, Rani Sankari Lane, Kalighat, and on the application of Akhil Bhuvan Roy Chowdhury and on reading the petition and hearing the petitioner it is ordered that the debtor be and the said debtor is hereby adjudged insolvent on 29th July 1925.

Dated this 21st day of August 1925

A T PAL, Sub-Judge
(1700-1-1693)

ORDER OF ADJUDICATION

In the 4th Court of the Sub-Judge at
Alipore.

INSOLVENCY CASE No. 100 of 1925

PURSUANT to a petition, dated 26th March 1925, filed by Ram Rup Turba, of Padmapukur Bazar, Kotaly, police station Kotaly and on the application of Ram Rup Turba and on reading the petition and hearing the petitioner it is ordered that the debtor be and the said debtor is hereby adjudged insolvent on 28th July 1925.

Dated this 21st day of August 1925

A T PAL, Sub-Judge
(1701-1-1690)

ORDER OF ADJUDICATION

In the 4th Court of the Sub-Judge at
Alipore.

INSOLVENCY CASE No. 71 of 1925.

PURSUANT to a petition, dated 28th July 1925, filed by Mohendra Nring, of No. 2, Nuhata Road, Kidderpur, police station Wategungr, 24 Parganas, and on the application of Mohendra Nring and on reading the petition and hearing the petitioner it is ordered that the debtor be and the said debtor is hereby adjudged insolvent on 28th July 1925.

Dated this 21st day of August 1925

A. T. PAL, Sub-Judge.
(1702-1-1696)

ORDER OF ADJUDICATION

In the 4th Court of the Sub-Judge at

INSOLVENCY CASE No 76 of 1925.

PURSUANT to a petition, dated 22nd July 1925, filed by Chhotan Miah of No. 5, Bhukailash Road, police-station Shibpur, 24 Parganas, and on the application of Chhotan Miah and on reading the petition and hearing the petitioner it is ordered that the debtor be and the said debtor is hereby adjudged insolvent on 22nd July 1925.

Dated this 21st day of August 1925

A T Pat Sub Judge
(1703-1-1886)

ORDER OF ADJUDICATION

In the 4th Court of the Sub-Judge at

Alipore.**INSOLVENCY CASE No. 102 of 1925**

PURSUANT to a petition, dated 27th March 1925, filed by Ht Lal Miah of 52-1, Mouth Road Kotalia, police-station Patala 24 Parganas and on the application of Ht Lal Miah and on reading the petition and hearing the petitioner it is ordered that the debtor be and the said debtor is hereby adjudged insolvent on the 28th July 1925.

Dated this 21st day of August 1925

A T Pat, Sub Judge
(1705 1 1652)

ORDER OF ADJUDICATION

In the 4th Court of the Sub-Judge at

Alipore.**INSOLVENCY CASE No 112 of 1925**

PURSUANT to a petition dated 4th April 1925, filed by Nagendra Nath Mondal of Maheshala police-station Jagtolla, 24 Parganas, and on the application of Nagendra Nath Mondal and on reading the petition and hearing the petitioner it is ordered that the debtor be and the said debtor is hereby adjudged insolvent on the 28th July 1925.

Dated this 21st day of August 1925

A T Pat Sub Judge
(1706 1 1656)

In the Court of the District Judge of

Hoochly.**INSOLVENCY PETITION No 57 of 1924**

NOTICE is hereby given that Suk Fakir son of late Suk Abada of Guana, thana Panchmah district Hoochly, was, on the 22nd July 1923, adjudged as insolvent and that the 10th October 1923 has been fixed for framing a schedule and creditors are required to prove their claims that day.

P. C. Das, District Judge.

Chinnura, the 12th August 1925. (1680-1-1697)

In the Court of the District Judge of

Hoochly.**INSOLVENCY PETITION No 50 of 1923.**

NOTICE is hereby given that How Bhanu Akbar, son of Chhotan Akbar of Chinnura, thana Bhadrabar, district Hoochly, was, on the 7th August 1923, adjudged as insolvent. He was finally discharged on the 21st August 1925.

P. C. Das District Judge.

Chinnura, the 25th August 1925 (1741-1-1685)

ORDER ANNULLING ADJUDICATION.

[Section 45 of the Provincial Insolvency Act, III of 1920.]

In the Court of the District Judge of

Hoochly.**INSOLVENCY PETITION No 2 of 1924.**

In the matter of Anil Chandra Das, insolvent.

THE order of the Court, having not been complied with, it is ordered that the order of adjudication, dated 4th February 1925, filed by Anil Chandra Das, of Kumbhura, be and the same is hereby annulled.

Dated this 25th day of August 1925.

P C Das District Judge.
(1742-1-1669)

In the Court of the District Judge of

Hoochly.

NOTICE is hereby given, under clause (2) of section 12 of the Provincial Insolvency Act, V of 1920, to his creditors that the insolvency petition of Sudhansu Kumar Das son of Baburam Das of Mujipur, thana Singhaour, district Hoochly, has been admitted by this Court as No 59 of 1925 and that the 23rd October 1925 has been fixed for the hearing thereof.

L B CHATTERJEE, for District Judge
Chinnura the 29th August 1925 (1757-1-1726)

In the Court of the District Judge of

Hoochly.

NOTICE is hereby given under clause (2) of section 12 of the Provincial Insolvency Act V of 1920, to his creditors that the insolvency petition of Kailash Das son of late Gora Chand Das, of Bishra, thana Bhadrabar, district Hoochly, has been admitted by this Court as No 60 of 1925 and that the 23rd October 1925 has been fixed for the hearing thereof.

L B CHATTERJEE for District Judge
Chinnura, the 29th August 1925 (1758-1-1727)

In the Court of the Additional District

Judge of Hoochly at Howrah.

NOTICE is hereby given under the Provincial Insolvency Act, V of 1920 to his creditors that the insolvency petition of Bantu Pal Das, son of late Garuda Prasad Das of Rampur, thana Jagatballavpur district Hoochly, has been admitted by this Court as No 60 of 1925 and that the 13th November 1925 has been fixed for the hearing thereof.

D C. PATTANAYAK Addl District Judge
Howrah, the 5th August 1925 (1598-1-1709)

In the Court of the Additional District

Judge of Hoochly at Howrah.

NOTICE is hereby given under the Provincial Insolvency Act V of 1920 to his creditors that the insolvency petition of Khirade Chandra Das, son of Hriday Chandra Das, of Nurgalyan, thana Bhadrabar, district Hoochly, has been admitted by this Court as No 60 of 1925 and that the 13th October 1925 has been fixed for the hearing thereof.

D. U. PATTANAYAK, Addl District Judge.
Howrah, the 26th September 1925 (1810-1-1706)

In the Court of the Additional District Judge of Howrah at Howrah.

NOTICE is hereby given under the Provincial Insolvency Act V of 1920 to his creditors that the insolvency petition of Dhirendra Nath Ghosh, son of Prou Nath Ghosh, of 108, Kharut Road, Thana Barua, district Hooghly, has been admitted by this Court as No. 103 of 1925 and that the 5th November 1925 has been fixed for the hearing thereof.

D. C. PATTERSON, Addl. District Judge.
Howrah, the 4th September 1925. (1819—1—1705)

In the Court of the District Judge of Pabna and Bogra.

INSOLVENCY CASE No. 26 of 1925.

(ACT V of 1920.)

WHEREAS Kshitish Chandra Saha, son of late Pran Nath Saha, of Dugachi, police-station and district Pabna, has applied to this Court by a petition, dated the 25th August 1925, to be declared an insolvent, this is to give notice to all his creditors that the Court has fixed the 2nd November 1925 for hearing of the aforesaid petition and examination of the debtor.

P. M. CHATTERJI, District Judge
Pabna, the 5th September 1925. (1805—1)

In the Court of the District Judge of Pabna and Bogra.

INSOLVENCY CASE No. 28 of 1925.

(ACT V of 1920.)

WHEREAS Joydhar Sanjar, son of late Emarat Sardar, of Chardari Bhowdanga, police-station and district Pabna, has applied to this Court by a petition, dated the 28th August 1925, to be declared an insolvent, this is to give notice to all his creditors that the Court has fixed the 2nd November 1925 for hearing of the aforesaid petition and the examination of the debtor.

P. M. CHATTERJI, District Judge.
Pabna, the 5th September 1925. (1803—1)

In the Court of the District Judge of Pabna and Bogra.

INSOLVENCY CASE No. 29 of 1925.

(ACT V of 1920.)

WHEREAS Chandra Nath Nandi, son of late Panchanan Nandi, of Chaudai, police-station Atgharia and district Pabna, has applied to this Court by a petition, dated the 29th August 1925, to be declared an insolvent, this is to give notice to all his creditors that the Court has fixed 3rd November 1925 for hearing of the aforesaid petition and the examination of the debtor.

P. M. CHATTERJI, District Judge.
Pabna, the 5th September 1925. (1807—1)

In the Court of the District Judge of Pabna and Bogra.

INSOLVENCY CASE No. 27 of 1925.

(ACT V of 1920.)

WHEREAS Adhari Sardar, son of late Emarat Sardar, of Chardari Bhowdanga, police-station and district Pabna, has applied to this Court by a petition, dated 28th August 1925, to be declared an insolvent, this is to give notice to all his creditors that the Court has fixed the 2nd November 1925 for hearing of the aforesaid petition and the examination of the debtor.

P. M. CHATTERJI, District Judge.
Pabna, the 5th September 1925. (1808—1)

NOTICE.

In the Court of the District Judge of Rangpur.

INSOLVENCY CASES Nos. 1 of 1925 AND 24 OF 1924.

PRESENT :

R. L. SATHU, Esq., Additional District Judge.
LAKHMI NATH DEB, son of late Jagannath Deb, of Hingile, police-station Clipur in the district of Rangpur, was, on the 7th September 1925, adjudged an insolvent by this Court. He shall apply for final discharge within three months.

R. L. SATHU, Addl. District Judge.
Rangpur, the 9th September 1925. (1820—1)

NOTICE.

In the Court of the District Judge of Rangpur.

INSOLVENCY CASE No. 8 of 1925.

PRESENT :

S. N. MODAK, Esq., I.C.S., District Judge.

GUL MAHMUD, son of late Gaf Paikar, of Bhabanpur, police-station Jaldhaka, in the district of Rangpur, was, on the 31st day of August 1925, adjudged an insolvent by this Court. He shall apply for his discharge within six months from date.

S. N. MODAK, District Judge.
Rangpur, the 8th September 1925. (1821—1)

ORDER ANNULING ADJUDICATION.

[Section 42 of the Provincial Insolvency Act, V of 1920.]

In the Court of the District Judge of 24-Pargannas.

INSOLVENCY APPLICATION No. 20 of 1923.

B. S. Phansalker, applicant.

WHEREAS the applicant does neither appear nor apply for discharge within the time specified for hearing, it is ordered that the order of adjudication, dated 3rd March 1924, against the applicant be and the same is hereby annulled.

Dated this 5th day of May 1925.

S. C. MALLIK, District Judge.

ORDER ANNULING ADJUDICATION.

[Section 42 of the Provincial Insolvency Act V of 1920.]

In the Court of the District Judge of 24-Pargannas.

INSOLVENCY APPLICATION No. 32 of 1924.

Harikar Mukerjee, applicant.

WHEREAS the applicant does neither appear nor apply for discharge within the time specified for hearing, it is ordered that the order of adjudication, dated 20th July 1924, against the applicant be and the same is hereby annulled.

Dated this 18th day of August 1925.

S. C. MALLIK, District Judge.

NOTICE.

In the 4th Court of the Sub-Judge of
24-Pargannas.

INSOLVENCY CASE No. 82 of 1925.

Ananda Premad Das, of 57-B, Raja Dinendra Street,
Calcutta, applicant.

To Raj Kumar Das, of Digla, Dum-Dum Cantonment,
24-Pargannas, and others, creditors.

ON the 19th day of March 1925 it was ordered that
the matter of the petition of the applicant be heard on the
23rd day of November 1925 and that the said applicant
do attend to be examined by this Court on that date.

A. T. PAL, Sub-Judge.

Alipore, the 5th May 1925.

(973—1—16308)

NOTICE.

In the 4th Court of the Sub-Judge of
24-Pargannas.

INSOLVENCY CASE No. 89 of 1925

Uppendranath Dey, of 33, Ice Factory Lane, thana
Entally, 24-Pargannas, applicant.

To Chandicharan Bhan, of 5-1, Dharmatola Street,
Calcutta, and others, creditors.

ON the 25th day of March 1925 it was ordered that
the matter of the petition of the applicant be heard on the
16th day of November 1925 and that the said applicant
do attend to be examined by this Court on that date.

A. T. PAL, Sub-Judge.

Alipore, the 8th May 1925.

(977—1—1676)

NOTICE

In the 4th Court of the Sub-Judge of
24-Pargannas.

INSOLVENCY CASE No. 103 of 1925.

Samundra Nath Ghosh, of 8, Munchi Bazar Road,

Bahaghetta, 24-Pargannas, applicant.

To Rampada Shan, of 123-2, Manicktala Street, Calcutta,
and others, creditors.

ON the 3rd day of April 1925 it was ordered that
the matter of the petition of the applicant be heard on the
16th day of November 1925 and that the said applicant
do attend to be examined by this Court on that date.

A. T. PAL, Sub-Judge.

Alipore, the 15th May 1925.

(1009—1—1675)

NOTICE.

In the 4th Court of the Sub-Judge of
24-Pargannas.

INSOLVENCY CASE No. 114 of 1925.

Madhu Shan Sanyal, of 8, Main Road, Entally, 24-
Pargannas, applicant.

To Balja Nath Sin, of 108, Corporation Street, Calcutta,
and others, creditors.

ON the 16th day of April 1925 it was ordered that
the matter of the petition of the applicant be heard on the
16th day of November 1925 and that the said applicant
do attend to be examined by this Court on that date.

A. T. PAL, Sub-Judge.

Alipore, the 21st May 1925.

(1053—1—1677)

NOTICE.

In the 4th Court of the Sub-Judge of
24-Pargannas.

INSOLVENCY CASE No. 117 of 1925.

Bruna Sardar, of Titagarh, 24-Pargannas, applicant.

To Lalita Misir, of Titagarh, 24-Pargannas, and others,
creditors.

ON the 21st day of April 1925 it was ordered that
the matter of the petition of the applicant be heard on the
2nd day of November 1925 and that the said applicant
do attend to be examined by this Court on that date.

A. T. PAL, Sub-Judge.

Alipore, the 21st May 1925.

(1064—1—1728)

NOTICE.

In the 4th Court of the Sub-Judge of
24-Pargannas.

INSOLVENCY CASE No. 216 of 1925.

Deowaran Panday, of Melodibag, Tollyganj,
24-Pargannas, applicant.

To Kalikaprohad Choudhry, of 202, Strand Road,
Calcutta, and others, creditors.

ON the 9th day of July 1925 it was ordered that the
matter of the petition of the applicant be heard on the
9th day of November 1925 and that the said applicant
do attend to be examined by this Court on that date.

A. T. PAL, Sub-Judge.

Alipore, the 19th August 1925.

(1685—1—1680)

NOTICE.

In the 4th Court of the Sub-Judge of
24-Pargannas.

INSOLVENCY CASE No. 220 of 1925.

Shaikh Muhammad, of Pachur, thana Motchur,
24-Pargannas, applicant.

To Baydab Khan, of Motchur, thana Motchur, 24-
Pargannas, and others, creditors.

ON the 10th day of July 1925 it was ordered that the
matter of the petition of the applicant be heard on the
9th day of November 1925 and that the said applicant
do attend to be examined by this Court on that date.

A. T. PAL, Sub-Judge.

Alipore, the 19th August 1925.

(1686—1—1679)

NOTICE.

In the 4th Court of the Sub-Judge of
24-Pargannas.

INSOLVENCY CASE No. 221 of 1925.

Haburaddi Molla, of Nalpakharis, thana Bhangore, 24-
Pargannas, applicant.

To Lakhiram Badripasad, of 45, Cross Street, Calcutta,
and others, creditors.

ON the 10th day of July 1925 it was ordered that the
matter of the petition of the applicant be heard on the
9th day of November 1925 and that the said applicant
do attend to be examined by this Court on that date.

A. T. PAL, Sub-Judge.

Alipore, the 19th August 1925.

(1687—1—1681)

NOTICE.

In the 4th Court of the Sub-Judge of
24-Pargannas.

INSOLVENCY CASE No. 224 of 1925.

Manick Chandra Ghosh, of 27, Girish Ghosh's Lane,
Patipukur, 24-Pargannas, applicant.

To Mir Khan, of Sadagarpati, Chitpur, Calcutta, and
others, creditors.

ON the 14th day of July 1925 it was ordered that the
matter of the petition of the applicant be heard on the
9th day of November 1925 and that the said applicant do
attend to be examined by this Court on that date.

A. T. PAL, Sub-Judge.

Alipore, the 19th August 1925. (1688—1—1682)

NOTICE.

In the Court of the District Judge of
24-Pargannas.

INSOLVENCY CASE No. 55 of 1925.

Kishori Lal Mukherjee, son of late Purna Chandra
Mukherjee, of Naihati, thana Naihati, district 24-
Pargannas, applicant.

To Debra Line Co., Ltd., and others, creditors.

ON the 13th day of August 1925 it was ordered that
the matter of the petition of the applicant be heard on
the 21st day of October 1925 and that the said applicant
do attend to be examined by this Court on that date.

S. C. MALLIK, District Judge.

Alipore, the 28th August 1925. (1728—1—1670)

NOTICE.

In the Court of the District Judge of
24-Pargannas.

INSOLVENCY CASE No. 56 of 1925.

Nalini Mohan Ghosh, of 3, Rustamjee Parson Road, thana
Comipore, district 24-Pargannas, applicant.

To Pulin Chandra Datta and others, creditors.

ON the 14th day of August 1925 it was ordered that
the matter of the petition of the applicant be heard on
the 21st day of October 1925 and that the said applicant
do attend to be examined by this Court on that date.

S. C. MALLIK, District Judge.

Alipore, the 28th August 1925. (1729—1—1671)

ORDER ANNULLING ADJUDICATION.

[Section 42 of the Provincial Insolvency Act, V of 1920.]

In the Court of the District Judge of
24-Pargannas.

INSOLVENCY APPLICATION No. 41 of 1924.

Mahendra Nath Dutt, applicant.

WHEREAS the applicant does neither appear nor
apply for discharge within the time specified for hearing,
it is ordered that the order of adjudication, dated 4th
August 1925, against the applicant, be and the same is
hereby annulled.

Dated this 14th day of August 1925.

S. C. MALLIK, District Judge.
(1743—1—1672)

NOTICE.

In the 4th Court of the Sub-Judge of
24-Pargannas.

INSOLVENCY CASE No. 284 of 1925.

Niranjan Bhui, of Khardah, thana Khardah, 24-Pargannas,
applicant.

To Bishwanath Kurat, of Khardah, thana Khardah,
24-Pargannas, and others, creditors.

ON the 16th day of July 1925 it was ordered that
the matter of the petition of the applicant be heard on
the 30th day of November 1925 and that the said appli-
cant do attend to be examined by this Court on that
date.

A. T. PAL, Sub-Judge.

Alipore, the 31st August 1925. (1705—1—1735)

NOTICE.

In the 4th Court of the Sub-Judge of
24-Pargannas.

INSOLVENCY CASE No. 247 of 1925.

Hemmat Ali, of 41, Nazim Lane, thana Watalganj,
24-Pargannas, applicant.

To Jagadewan Sing, of 3, Bankaripara Road, Bhawanipur,
24-Pargannas, and others, creditors.

ON the 20th day of July 1925 it was ordered that
the matter of the petition of the applicant be heard on
the 30th day of November 1925 and that the said appli-
cant do attend to be examined by this Court on that
date.

A. T. PAL, Sub-Judge.

Alipore, the 31st August 1925. (1766—1—1739)

NOTICE.

In the 4th Court of the Sub-Judge of
24-Pargannas.

INSOLVENCY CASE No. 236 of 1925.

Shaikh Rahamatulla, of Merallhagan, Manickpola,
24-Pargannas, applicant.

To Mian Khan, of 31, Gray Street, Calcutta, and
others, creditors.

ON the 18th day of July 1925 it was ordered that
the matter of the petition of the applicant be heard on
the 30th day of November 1925 and that the said
applicant do attend to be examined by this Court on
that date.

A. T. PAL, Sub-Judge.

Alipore, the 31st August 1925. (1762—1—1736)

NOTICE.

In the 4th Court of the Sub-Judge of
24-Pargannas.

INSOLVENCY CASE No. 206 of 1925.

Phanindra Nath Banerji, of Napara, thana Harua,
24-Pargannas, applicant.

To Manmohan Nath Mondal, of 43, Grey Street, Calcutta,
and others, creditors.

ON the 17th day of July 1925 it was ordered that
the matter of the petition of the applicant be heard on the
23rd day of November 1925 and that the said applicant
do attend to be examined by this Court on that date.

A. T. PAL, Sub-Judge.

Alipore, the 31st August 1925. (1770—1—1738)

NOTICE.

In the 4th Court of the Sub-Judge of
24-Pargannas.

INSOLVENCY CASE No. 237 of 1925.

Jowdhan Ram Kuan, of Gerdia, thana Napara,
24-Pargannas, applicant.

To Nityalal Sha, of Gerdia, thana Napara, 24-Pargannas,
and others, creditors.

ON the 21st day of July 1925 it was ordered that the
matter of the petition of the applicant be heard on the
30th day of November 1925 and that the said applicant
do attend to be examined by this Court on that date.

A. T. PAL, Sub-Judge.

Alipore, the 31st August 1925. (1771—1—1737)

NOTICE.

In the 4th Court of the Sub-Judge of
24-Pargannas.

INSOLVENCY CASE No. 162 of 1925.

Harnul Giri, of Udayanpur, thana Bistapur,
24-Pargannas, applicant.

To Harnul Samants, of Bistapur, thana Bistapur,
24-Pargannas, and others, creditors.

ON the 27th day of July 1925 it was ordered that the
matter of the petition of the applicant be heard on the
23rd day of November 1925 and that the said applicant
do attend to be examined by this Court on that date.

A. T. PAL, Sub-Judge.

Alipore, the 31st August 1925. (1772—1—1729)

NOTICE.

In the 4th Court of the Sub-Judge of
24-Pargannas.

INSOLVENCY CASE No. 165 of 1925.

Meghik Chandra Nudhu Khan, of 3, Aman Sha Lane,
Ektalpur, 24-Pargannas, applicant.

To Tinkori Charan Das, of Orphanaganj, Kaddipore,
24-Pargannas, and others, creditors.

ON the 27th day of July 1925 it was ordered that the
matter of the petition of the applicant be heard on the
23rd day of November 1925 and that the said applicant
do attend to be examined by this Court on that date.

A. T. PAL, Sub-Judge.

Alipore, the 31st August 1925. (1773—1—1730)

NOTICE

In the 4th Court of the Sub-Judge of
24-Pargannas.

INSOLVENCY CASE No. 207 of 1925.

Leon alias L. Sahasit, of 28, Egin Road, Bhawanipur,
24-Pargannas, applicant.

To Allah Bakhsh, of 7, Bentinck Street, Calcutta, and
others, creditors.

ON the 17th day of July 1925 it was ordered that the
matter of the petition of the applicant be heard on the
23rd day of November 1925 and that the said applicant
do attend to be examined by this Court on that date.

A. T. PAL, Sub-Judge.

Alipore, the 31st August 1925. (1774—1—1731)

NOTICE.

In the 4th Court of the Sub-Judge of
24-Pargannas.

INSOLVENCY CASE No. 239 of 1925.

Harriet Hossain, of 3, Munshi Road, Belaghata, 24-Par-
gannas, applicant.

To Ali Hossain, of 6, Harrison Road, Calcutta, and
others, creditors.

ON the 21st day of July 1925 it was ordered that the
matter of the petition of the applicant be heard on the
30th day of November 1925 and that the said applicant
do attend to be examined by this Court on that date.

A. T. PAL, Sub-Judge.

Alipore, the 31st August 1925. (1777—1—1738)

NOTICE.

In the 4th Court of the Sub-Judge of
24-Pargannas.

INSOLVENCY CASE No. 229 of 1925.

Anil Chandra Jasn, of 13, Chakraborty Road, 24-
Pargannas, applicant.

To Siba Prasad Dutta, of 67-4, Strand Road, Calcutta,
and others, creditors.

ON the 18th day of July 1925 it was ordered that the
matter of the petition of the applicant be heard on the
23rd day of November 1925 and that the said applicant
do attend to be examined by this Court on that date.

A. T. PAL, Sub-Judge.

Alipore, the 31st August 1925. (1781—1—1733)

NOTICE.

In the 4th Court of the Sub-Judge of
24-Pargannas.

INSOLVENCY CASE No. 230 of 1925.

Munnilal Sha, of Hariyava Lane, Kaddipore, 24-
Pargannas, applicant.

To Nilokhan, of 33, Dett Mission Road, Kaddipore,
24-Pargannas, and others, creditors.

ON the 15th day of July 1925 it was ordered that the
matter of the petition of the applicant be heard on the
30th day of November 1925 and that the said applicant
do attend to be examined by this Court on that date.

A. T. PAL, Sub-Judge.

Alipore, the 31st August 1925. (1783—1—1734)

ARUNPROSAD ROY CHOUDHURY, B.A., B.L., intends
to be enrolled as a Vakil of the High Court, Calcutta.

(1670—4—1507)

BABU KSHITIS CHANDRA GHATAK, B.A., B.L.,
intends to be enrolled as a Vakil, Calcutta High Court.

(1734—4—1531)

BABU SRISH CHANDRA DATTA, B.L., intends to
be enrolled as a Vakil of the High Court, Calcutta.

(1735—4—1532)

HENCHANDRA DATTA, B.L., of Silcher, intends to
be admitted as a Vakil of the High Court.

(1676—4—1508)

MR. RAMAPHASANNA SANYAL, M.A., B.L., intends to be enrolled as a Vakil of the High Court, Calcutta.

(1710-4-1576)

RAJENDRANATH BHATTACHARYA, M.A., B.L., intends to be enrolled as a Vakil, High Court, Calcutta.

(1755-4-1513)

SAILENDRA MOHAN DAS, B.L., intends to be enrolled as a Vakil of the High Court, Calcutta.

(1671-1-1506)

SHIBSARAN SARKER, M.A., B.L., intends to be enrolled as a Vakil of the High Court, Calcutta.

(1672-4-1503)

SUBODH RANJAN DAS GUPTA, B.L., intends to be enrolled as a Vakil of the High Court, Calcutta.

(1673-4-1501)

SUKUMAR GUHA, B.L., intends to be enrolled as a Vakil of the High Court, Calcutta.

(1675-4-1505)

UPENDRA CHANDRA ROY, M.A., B.L., intends to be enrolled as a Vakil of the High Court, Calcutta.

(1674-4-1504)

Notice.

WANTED a clerk in the Lower Division on Rs. 35-35-40-2-68-4-20 for the Wards Department of the Rangpur Collectorate. Applications will be received by the undersigned up to the 3rd October 1925. None need apply who has not passed the Matriculation Examination or is over 22 years of age according to the Matriculation certificate which must be filed in original with his application, together with a certificate of good moral character.

Preference will be given to candidates whose names appear in the list of surplus officers. In their case, the age-limit will not apply.

S. K. HALDAR, Collector.

Rangpur, the 10th September 1925.

WANTED a stenographer for the District Judge's Office at Burdwan on a salary of Rs. 90 per mensem. The candidate applying for the post must be a graduate and should have a good experience in stenography. Applications for the post will be received by the undersigned up to 31st October 1925.

A. M. AHMED, District Judge.

Burdwan, the 9th September 1925.

NOTICE.

Imperial Bank of India.

THE Members of the Local Board have made the following changes in the Bank's Establishment :-

Mr. A. McNamee to be Officer-in-charge, Nowshera Branch, as from 2nd September 1925, vice Mr. R. M. Stenrodale, granted leave.

Mr. L. H. Brown to be Officer-in-charge, Dibrugarh Branch, as from 29th August 1925, vice Mr. A. W. Cameron, transferred.

By order,

C. M. TALLACK

Secretary & Treasurer (offg.).

Calcutta, the 7th September 1925.

(1617-1)

NOTICE.

Imperial Bank of India.

THE Members of the Local Board have made the following changes in the Bank's Establishment :-

Mr. R. C. Anderson to act as Agent, Barra Branch, as from 5th September 1925, vice Mr. S. M. Gray, proceeding on leave preparatory to retirement.

Mr. J. T. Urquhart to be Officer-in-charge, Dhanbad Branch, as from 5th September 1925, vice Mr. R. D. Jackson, proceeding on leave.

By order,

C. M. TALLACK,

Secretary & Treasurer (offg.).

Calcutta, the 11th September 1925.

(1836-1)

Notice.

THE Bengal and Madras Service Family Pension Fund which is provisionally managed and assisted by Government has for its object the provision of monthly pensions for the maintenance of the widows and children of subscribers and is open, with certain exceptions, to all active and pensioned members of the Uncovenanted Service of Government (except those serving under the Government of Bombay), and to Local Fund servants earning pensions from Government. Some of the special features of the fund are—(1) that widowed daughters incapable of remarriage or children labouring under such mental or bodily infirmities as incapacitate them from earning their livelihood or preclude the possibility of marriage (in case of a daughter) are admitted to its benefits; and (2) that subscribers to the Widows' and Daughters' branches are entitled to a refund of 30 per cent. of the premium paid, should the nominee predecease them after five years of admission. The second quinquennial valuation of the fund has been completed by the Actuary to the Government of India and his report discloses very favourable results. For forms of application and rules of the Fund apply to the Accountant-General, Central Revenue, Imperial Secretariat Buildings, Calcutta.

Custom House Notice.

NOTICE is hereby given that if the duty, interest, warehouse rent, and all charges be not paid within ten days from the date of this notice on 29 packages of

A J W

brandy marked No number ex. SS. Pundit from La
or
1551/1770

Pallice via Colombo, bonded by William Meyer & Co. in the Bengal Bonded Warehouse, the goods will be sold by public auction under the provisions of section 119 of the Sea Customs Act.

G. S. HARRY, Collector of Customs.

Calcutta, the 28th August 1925.

(1749-2)

Notice of Sale.

To be sold by public auction at the Wine Shed, Custom House, on Friday, the 18th September 1925, at 1 p.m. under section 119 of the Sea Customs Act, a consignment of 21 cases of Royal Sovereign (Scotch) Whisky. The casks may be inspected on application to the Bond Inspector.

G. S. HARRY, Collector of Customs.

Calcutta, the 12th September 1925.

(1857-1)

Draft Declaration.

GOVERNMENT Promissory Note No. F004553 of the 5 per cent. loan of 1945-46 for Rs. 500 in respect of which there was a stop notice issued by the Collector of Shalipahar has been presented by Messrs. Mackinnon Mackenzie & Co., for renewal. After proper enquiry under section 13 (1)(c) of the Indian Securities Act (Act X of 1920) I, the Controller of the Currency, do hereby declare that Lala Hardwar Lal, one of the previous endorsee, is entitled to the above security and that it will be renewed in his favour unless, within three months from the date of this declaration, a notice is received by me to the effect that proceedings have been instituted by any person in a Court of competent jurisdiction for the purpose of establishing a title to the note.

H.-DAXINU, Controller of the Currency.
Calcutta, the 26th July 1925. (1519-3)

Lost.

A RECEIPT numbered 20862, dated 26th July 1925, and granted by the Public Debt Office, Imperial Bank of India, on submission of the undermentioned Government Promissory Notes. Notice of loss has been given to the Public Debt Office, Imperial Bank of India, and the undersigned is about to apply for surrender of the securities:—

G. P. Note No.	Loan.	Amount.	Holder's name.
		Rs.	
20862 to 20	5½ per cent., 1900-01	100 each	Narayan Chunder Maji.
20862 and 21	1910	100	
20871	1910	100	
20884	1910	100	
20885	1910	100	
20893	1910	100	
20893 and 43	1910	100 each	
20894 and 26	1910	100	
20897 and 28	5½ per cent., 1945-46	100	
19087	5½ per cent., 1912-13	100	

Name of the proprietor—Narayan Chunder Maji.
Residence—C/o P. C. Sarkar, 51, Elgin Road, Calcutta.
(1613-1-1700)

Lost.

A RECEIPT numbered 872, dated 15th November 1924, and granted by the Public Debt Office, Imperial Bank of India, on submission of the undermentioned Government Promissory Notes. Notice of loss has been given to the Public Debt Office, Imperial Bank of India, and the undersigned is about to apply for surrender of the security:—

G. P. Note No.	Loan.	Amount.	Holder's name.
		Rs.	
004771	5½ per cent., 1923	100	Santoshchand Bard

Name of Proprietor—Santoshchand Bard, c/o Chandmall Modchand.
Residence—105, Old China Bazar Street, Calcutta.
(1814-1-1699)

Lost.**The Government Promissory Note:—**

No.	Loan.	Amount.	Originally standing in the name of—	Lost endorsed to—
		Rs.		
20899	5½ per cent., 1945-46	100	Imperial Bank of India.	Ritner, Bala
20899	1910	100	Mohendra Nath Mukherjee.	Ritner.
20899	5 per cent., 1911-12	100	Colonel Reginald Dorel.	Mohendra Nath Mukherjee.
20899	1910	100	Pram J. Madan	Datta.

the proprietors, by whom they were never endorsed to any other person, having been lost, notice is hereby given that payment of the above Notes and the interest thereon have been stopped at the Public Debt Office, Imperial Bank of India, Calcutta, and that application is about to be made for the issue of duplicates in favour of

the proprietors. The public are cautioned against purchasing or otherwise dealing with the above-mentioned securities.

Name of the Advertiser—Mohendra Nath Mukherjee.
Residence—Village Gustin, P. O. Badu, 24-Parganna.
(1678-1-1514)

Stolen.

THE Government Promissory Note No. 241052 of the 5½ per cent. loan of 1900-01 for Rs. 400 originally standing in the name of the Accountant-General, Post and Telegraphs, and last endorsed to Gagon Chandra Mudli, Bhuben Chandra Mudli and Pailish Chandra Mudli (minor), the proprietors, by whom it was never endorsed to any other person, having been stolen, notice is hereby given that payment of the above note and the interest thereon have been stopped at the Public Debt Office, Imperial Bank of India, Calcutta, and that application is about to be made for the issue of duplicate in favour of the proprietors. The public are cautioned against purchasing or otherwise dealing with the above-mentioned security.

Name of the Advertiser—Gagon Chandra Mudli.
Residence—Lodha Suli, P. O. Jhargram, district Midnapore.
(1433-3-1589)

Stolen.

THE Government Promissory Notes Nos. 202331, 202332, 202333, 202334 of the 5½ per cent. loan of 1865 for Rs. 500 each, originally standing in the name of the Bank of Bengal and last endorsed to Atul Chandra Mukherjee, the proprietor, by whom they were never endorsed to any other person, having been stolen, notice is hereby given that payment of the above Notes and the interest thereon have been stopped at the Public Debt Office, Imperial Bank of India, Calcutta, and that application is about to be made for the issue of duplicates in favour of the proprietor. The public are cautioned against purchasing or otherwise dealing with the above-mentioned securities.

Name of the advertiser—Atul Chandra Mukherjee.
Residence—Halisahar (24-Parganna).

(1792-3-1707)

NOTICE.

IN THE HIGH COURT OF JUDICATURE AT
FORT WILLIAM IN BENGAL.

ORDINARY ORIGINAL CIVIL JURISDICTION.

In the matter of the Indian Companies
Act, VII of 1913, and

In the matter of the Paris Cinema and
Varieties, Limited.

NOTICE is hereby given that a petition for the winding up of the abovenamed Company by the High Court of Judicature at Fort William in Bengal was on the 21st day of August 1925 presented to the Hon'ble Mr. Justice Page in Chambers on behalf of Monmoy Bannerjee of No. 13, Kallyghat Road, Bowbazar, in the suburbs of Calcutta, a creditor of the said Company, and that the said petition was directed to be heard before the senior Judge in Chambers on Monday, the 16th day of November 1925; and any creditor or contributory of the said Company desirous to oppose the making of an order for the winding up of the said Company under the above Act should appear at the time of hearing by himself or his Counsel for that purpose and a copy of the petition will be furnished to any creditor or contributory of the said Company, requiring the same, by the undersigned on payment of the regulated charge for the same.

Dated the 2nd day of September, 1925.

H. BHATTAR, Attorney for the petitioner.
No. 13-1, Old Post Office Street, Calcutta.

(1233-1-1478)

IN THE HIGH COURT OF JUDICATURE AT PORT WILLIAM IN BENGAL.

ORDINARY ORIGINAL CIVIL JURISDICTION.

In the matter of the Indian Companies
Act, 1913 (VII of 1913), and
in the matter of the Indian Iron and
Steel Company, Limited.

NOTICE is hereby given that by an order made herein and dated the 12th day of June last the reduction of capital of the abovenamed Company resolved on and effected by the special resolution of the Company passed and confirmed at extraordinary general meetings held for that purpose was thereby confirmed and minute showing the effect of the said reduction was approved in the following form, viz. :—

"The capital of the Indian Iron and Steel Company, Limited, is henceforth Rs. 1,50,00,000, divided into 300,000 shares of Rs. 50 each. At the time of the registration of this minute 247,642 of the said shares have been issued and 286,682 thereof have been and are to be deemed to be fully paid up. Upon 1,010 of the said shares set out below there shall be deemed to be paid up and due and owing in respect of unpaid calls the amounts appearing respectively against the same."

Demoting No. of shares.	Amount per share paid up.	Amount per share of unpaid calls.
Rs. A.	Rs. A.	
3126-75	4 0	10 0
5821-50	25 0	25 0
16246-305	40 0	10 0
27186-210	25 0	25 0
27341-45	40 0	10 0
28196-290	25 0	25 0
32121-40	38 13	11 3
32146-80	38 13	11 3
41296-395	25 0	25 0
50526-75	25 0	25 0
50951-75	25 0	25 0
51846-60	25 0	25 0
54326-35	25 0	25 0
54336-45	25 0	25 0
74601-50	35 0	15 0
88596-605	25 0	25 0
98511-45	35 0	15 0
115641-45	35 0	15 0
130756-85	4 0	10 0
131006-15	25 0	25 0
131021-25	25 0	25 0
136616-40	25 0	25 0
138461-510	25 0	25 0
148716-20	25 0	25 0
34886-80	35 0	15 0
38501-35	35 0	15 0
38991-39010	25 0	25 0
51376-400	25 0	25 0
53076-100	45 0	5 0
54586-95	25 0	25 0
59121-40	25 0	25 0
66321-5	25 0	25 0
66801-50	25 0	25 0
78871-25	25 0	25 0
78756-75	37 8	12 8
82266-70	40 0	10 0
94666-70	35 0	15 0
96181-200	25 0	25 0
96201-210	25 0	25 0
98361-80	35 0	15 0
104471-80	35 0	15 0
108246-50	35 0	15 0
109271-5	25 0	25 0
119051-5	35 0	15 0
121896-910	25 0	25 0
126186-40	46 0	4 0
126386-90	25 0	25 0
126441-5	35 0	15 0
126466-70	25 0	25 0
128791-5	35 0	15 0
132286-95	25 0	25 0
135786-90	40 0	10 0
136071-75	35 0	15 0
138786-90	35 0	15 0
138791-5	35 0	15 0

and 12,266 of the shares numbered inclusively from 1-100; 261-970; 1766-1790; 1986-20; 2014; 2416-26; 2556-30; 2836-40; 3001-25; 3121-25; 3616-25; 4021-120; 5251-55; 5306-55; 5586-590; 5716-5815; 5936-75; 6001-5; 6336-60; 6666-70; 6671-85; 6686-90; 7021-70; 7206-10; 7766-315; 8241-420; 8541-45; 9161-70; 9221-25; 9226-75; 9276-95; 9296-315; 9556-80; 9631-35; 9776-825; 9826-90; 10171-95; 10311-40; 10756-85; 122431-50; 12726-75; 13401-25; 14066-20; 14131-14355; 15541-45; 15686-765; 16221-25; 16756-80; 16761-65; 17396-405; 17546-90; 17611-60; 17786-85; 18396-400; 18526-80; 18811-910; 21281-400; 21441-65; 21676-85; 21701-10; 21791-990; 22566-70; 23036-45; 23591-24190; 24791-605; 24941-45; 25031-40; 25266-90; 25836-935; 25936-40; 26796-80; 26796-40; 27061-27075; 28891-905; 27756-40; 28126-30; 28191-5; 28206-10; 28921-45; 29621-720; 30416-25; 30536-40; 30956-60; 30961-65; 30986-70; 30991-31015; 31016-40; 31041-65; 31091-115; 31226-75; 31471-75; 31486-585; 31596-820; 32041-50; 32051-55; 32056-65; 32141-45; 32541-60; 32696-720; 33176-80; 33561-55; 33586-615; 33706-34005; 34006-25; 34056-60; 34066-70; 36371-95; 36566-705; 36721-80; 36956-60; 36961-37020; 37136-40; 37546-60; 37561-65; 37701-25; 37836-40; 37941-38080; 38031-35; 38036-45; 38536-40; 38541-45; 39036-40; 39046-10; 40291-320; 40776-80; 41096-120; 41146-95; 41431-50; 41451-500; 41536-45; 41641-50; 41901-20; 41981-95; 41996-42000; 42176-80; 42681-85; 42766-70; 43016-25; 43081-180; 43161-70; 43171-90; 43191-210; 43221-25; 43226-35; 43636-43685; 43686-705; 44326-30; 44331-40; 44451-75; 44776-875; 45126-75; 45556-70; 45581-85; 45586-685; 45791-290; 45891-46190; 46526-625; 46906-10; 46911-20; 46971-80; 47186-90; 47206-10; 47926-30; 48006-90; 48266-70; 48271-95; 48321-25; 48711-60; 49626-825; 50176-225; 50376-825; 50901-20; 51326-50; 51476-525; 52526-75; 52876-975; 54226-275; 54401-450; 54861-75; 56101-25; 56226-75; 57176-275; 58126-75; 58176-275; 58976-59000; 57986-95; 60426-75; 60826-75; 72646-70; 74331-36; 74701-5; 74951-55; 74971-74; 74979-89; 74990-75000; 75001-10; 76611-15; 77246-95; 77496-505; 78176-80; 78191-215; 78511-15; 78531-40; 79156-60; 79166-70; 79281-95; 79416-65; 79476-475; 79681-790; 79891-900; 81151-70; 81491-535; 81611-15; 82151-75; 82236-40; 82366-85; 82596-600; 82971-80; 83241-5; 83426-30; 83431-55; 83486-85; 83441-80; 83636-735; 83961-85; 99826-75; 100201-10; 119201-110220; 119241-50; 119251-75; 111086-90; 114206-365; 114381-90; 114431-85; 115081-90; 115096-95; 115096-120; 115266-365; 115866-90; 115486-95; 115496-815; 115676-90; 115966-80; 116031-35; 116851-65; 116826-85; 116836-50; 116851-85; 117011-60; 117651-725; 118181-230; 118401-25; 118386-60; 119511-60; 120581-600; 121151-80; 122111-30; 122896-995; 123246-70; 123771-95; 124046-70; 124096-120; 124196-220; 124271-95; 124636-60; 125206-305; 125306-30; 125431-40; 125446-70; 125976-126000; 126001-126100; 126676-750; 126976-7035; 127126-50; 128106-110; 128786-95; 128901-5; 129086-10; 129051-55; 129056-65; 129091-115; 129121-25; 129126-30; 129376-95; 129446-65; 130056-105; 130446-50; 130451-55; 130616-40; 130706-55; 131166-75; 131906-25; 132201-20; 132221-5; 133086-100; 133906-10; 134091-115; 134151-65; 134166-75; 134176-210; 134251-55; 134591-405; 134686-85; 135531-35; 135636-40; 135676-90; 135706-30; 135831-95; 136726-800; 137216-20; 137701-50; 137976-6075; 138876-400; 139451-60; 139861-750; 139111-115; 139116-20; 149271-85; 149541-65; 149591-615; 149641-85; 149801-5; 149806-10; 14711-15; 14891-900; 14906-10; 14911-15; 14916-40; 14946-50; 14946-20; 14946-44; 14971-74; 14976-400; 14981-30; 14986-900; 14991-20; 14991-50; 14991-120; 14991-50; 14991-50; 14991-50

63416-25	66451-20	67001-20	62101-20
70161-70	71161-70	72051-40	72081-95
73878-25	76133-30	78076-25	80886-718
82196-215	82791-25	82806-10	82818-30
82876-275	84538-40	85911-20	86951-57080
91001-100	94141-70	94596-600	94776-90
95781-85	96385-410	99636-60	99771-35
99121-48	99171-80	102791-850	105311-35
109284-90	109461-85	110186-210	115981-85
116511-15	121800-75	122921-30	122951-55
123096-100	123411-15	126461-55	126471-75
126586-30	126111-15	128421-40	131401-40
131946-95	132021-45	132301-10	133151-55
133736-40	134761-75	134816-915	135016-115
138006-15	138516-25	139801-10	142961-65
141504-15	141536-40	141571-80	143176-80
145946-70	145976-80	147821-25	147876-85
147901-5	147925-30	147941-45	148616-50

then issued but have been forfeited and not yet reissued and nothing is to be deemed to have been paid up thereon.

Notice is further given that on the 7th day of September 1925 an office copy of the said order containing a copy of the said minute was filed with the Registrar of Joint Stock Companies, Bengal.

Dated this 7th day of September 1925.

ORR, DIGNAN & Co., Solicitors to the Company.

(1799-1-1708)

In the matter of the Indian Companies Act, VII of 1912, and

In the matter of Thandabari Coal Syndicate, Limited.

NOTICE is hereby given that at an extraordinary general meeting of the above company duly convened and held on the 4th day of September 1925, the aforesaid extraordinary resolution was duly passed:—

"That the company cannot by reason of its liabilities continue to carry on business and that the same may be wound up voluntarily and that Mr. S. S. Hodson of 26, Dalhousie Square, be appointed liquidator for that purpose."

Dated this 7th day of September 1925.

S. S. Hodson, Liquidator.

(1810-1-1701)

In the matter of the Indian Companies Act, VII of 1912, and

In the matter of Thandabari Coal Syndicate, Limited.

NOTICE is hereby given pursuant to section 309 of the Indian Companies Act, 1912, that a meeting of the creditors of the abovesaid Company will be held at the office of Messrs Sanderson & Co., of No. 26, Dalhousie Square, Calcutta, on Saturday, the 3rd day of October 1925, at 11 o'clock in the forenoon.

Dated the 7th day of September 1925.

S. S. Hodson, Liquidator

(1811-1-1702)

In the matter of the Indian Companies Act, VII of 1912, and

In the matter of Thandabari Coal Syndicate, Limited.

THE creditors of the abovesaid Company are required on or before the 30th day of September 1925 to send their names and addresses, the particulars of their debts and claims and the names and addresses of their solicitors (if any) to the undersigned c/o Messrs Sanderson & Co., of No. 26, Dalhousie Square, Calcutta, and if so required by notice in writing are to come and prove their said debts and claims at such times

as shall be specified in such notice or in default thereof they will be excluded from the benefit of any distribution made before the debts are proved.

Dated the 7th day of September 1925.

S. S. Hodson, Liquidator.
(1812-1-1703)

In the matter of the Indian Companies Act, VII of 1912, and

In the matter of the Assam (Central) Bricks & Tiles, Ltd. (in liquidation).

PURSUANT to section 217 of the Indian Companies Act notice is hereby given that a final general meeting of the shareholders of the above Company will be held at Mercantile Buildings, Lal Bazar, Calcutta, on Tuesday, the 20th October 1925, at 3 P.M., when the liquidator will lay before the meeting an account of the winding up showing how the same has been conducted and how the properties of the Company have been disposed of and for considering and passing such resolution as may be thought fit regarding the disposal of the books.

R. RAY, Liquidator.

Calcutta, the 11th September 1925. (1826-1-1740)

Imperial Library.

(Secretariat Buildings, 6, Esplanade East, Calcutta.)

Open on { Weekdays and Saturdays from 10 A.M. to 7 P.M.
Sundays and holidays from 2 P.M. to 5 P.M.

The Imperial Library is also a Lending Library. It is free to all except children. There is no subscription to pay.

J. A. CHAPMAN, Librarian.

Descriptive Catalogue of Sanskrit Manuscripts.

PARTS I, II, and III of a Descriptive Catalogue of the Sanskrit Manuscripts in the Library of the Calcutta Sanskrit College, prepared by Pandit Hrishikesh Sastri and Babu Siva Chandra Gu, M.A., B.L., of that College, are offered to the public for sale. The Catalogue having to be completed in 23 parts the price of each part is 12 annas a copy exclusive of postage. Copies can be obtained from the Principal of the Sanskrit College, Calcutta.

Publication of Advertisements in the Bengal Quarterly Civil List.

THE Government of Bengal are prepared to consider applications for the insertion of advertisements in the quarterly issue of the Bengal Civil List which is published early in January, April, July and October of each year. Twenty pages of the publication which is octavo in size are available at the following rates:—

	Per column. Four lines.	Single line.
	Rs.	Rs.
Full page in print	100	20
Half page	60	10
Quarter page	40	15

No advertisement extending over less than one quarter of a page will be accepted, and payment must be made before the date of publication.

Applications for insertion of advertisements in the next issue must reach the undersigned not later than the 1st October 1925, and must in all cases be accompanied by a copy of the advertisement which it is proposed to insert.

R. H. HERCHES.

Under Secretary to the Government of Bengal

Political and Appointment Departments,

Writers' Buildings, Calcutta.

CHINCHONA FACTORY PRODUCTS.

By order of the Government of Bengal Cinchona Factory Products as manufactured and packed at the Cinchona Factory, Darjeeling, will be sold and distributed by the Superintendent, Presidency, in original packages as received from the Mungpos Factory, at the rates noted below, from the 1st May 1923:—

Quinine Sulphate.

For 60 lbs. and upwards at a time	Rs. 24 per lb.
For 6 lbs. and over but less than 60 lbs. at a time	" 25 "
For any quantity less than 6 lbs.	" 26 "

Quinine Hydrochloride.

For 60 lbs. and upwards at a time	Rs. 30 per lb.
For 6 lbs. and over but less than 60 lbs. at a time	" 31 "
For any quantity less than 6 lbs.	" 32 "

Quinine Di-Hydrochloride.

For 60 lbs. and upwards at a time	Rs. 32 per lb.
For 6 lbs. and over but less than 60 lbs. at a time	" 33 "
For any quantity less than 6 lbs.	" 34 "

Quinidine Sulphate.

For any quantity less than 6 lbs.	Rs. 30 per lb.
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Cinchonidine Sulphate.

For 60 lbs. and upwards at a time	Rs. 27 per lb.
For 6 lbs. and over but less than 60 lbs. at a time	" 28 "
For any quantity less than 6 lbs.	" 29 "

Cinchonine Sulphate.

For 60 lbs. and upwards at a time	Rs. 13 per lb.
For 6 lbs. and over but less than 60 lbs. at a time	" 14 "
For any quantity less than 6 lbs.	" 15 "

Cinchona Febrifuge (Powder).

For 6 lbs. and over at a time	Rs. 9 per lb.
For any quantity less than 6 lbs.	" 10 "

Cinchona Febrifuge (Tablets).

For 6 lbs. and over at a time	Rs. 10 per lb.
For any quantity less than 6 lbs.	" 11 "

Quinoidine (Tablets).

For 6 lbs. and over at a time	Rs. 7 per lb.
For any quantity less than 6 lbs.	" 8 "

Quinoidine (In Mass).

For 6 lbs. and over at a time	Rs. 6 per lb.
For any quantity less than 6 lbs.	" 7 "

Cinchona Bark (in 50 pound original bags).

Per bag	Rs. 25.
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Transit charges extra in every case.

Quinine Sulphate is for sale to Government Institutions and Missionaries only. It is not for sale to Private Firms or the General Public.

Cinchona Febrifuge in Powder and Tablet form (when in stock) is for sale to Government Institutions, Missionaries and the General Public.

Quinine Sulphate will be supplied to Hospitals and Dispensaries of this Presidency only at the wholesale rate of Rs. 24 per lb., irrespective of quantities. For all other purchasers the rates given above will apply.

Local sale at the Jail gate from 7 to 10 A.M. and 2 to 4 P.M.

The system of payment is by—Cash in advance—by "Treasury Chalcans", which should accompany the order or indent.

In cases where this is not possible, payment should be made by "Remittance Transfer Receipts" or crossed "Cheques".

Indents unaccompanied by Cash in advance will be sent Value Payable Post.

In the case of Government Officers payments will be recovered by Book Transfer, i.e. Countersigned Invoices in the event of Cash not accompanying the Indent by "Treasury Chalcans", R. T. R., or Cheque.

2. Price and postage must accompany the price of the drug (when the drug is required by post).

3. The name of the Railway and Steam Station or Post-Office must be written distinctly when the parcels are required by Rail, Steamer, or by Post. Railway parcels are sent by passenger train only.

4. A scale of postage is given below:—

For ½ lb. 4 annas, ½ lb. 5 annas, 1 lb. 8 annas, 1½ lb. 11 annas, 2 lbs. 14 annas, 2½ lbs. Rs. 1-1, 3 lbs. Rs. 1-1, 5½ lbs. Rs. 1-4, 6 lbs. Rs. 1-7, 6 lbs. Rs. 1-13, 5½ lbs. Rs. 1-13, 6 lbs. Rs. 2.

N.B.—Postage stamps are not accepted as revenue.

Government reserves the right to alter the prices without notice.

NOTICE.

Advertisements, Notices, etc., intended for insertion in this Part of the Gazette cannot be received after noon on Saturday.



The Calcutta Gazette

THURSDAY, SEPTEMBER 17, 1925.

PART VI.

Bills introduced in the Council of State and Legislative Assembly, Reports of Select Committees presented to the Council and Assembly and Bills published under Rule 18 of the Indian Legislative Rules.

GOVERNMENT OF INDIA.

Legislative Department.

[AS INTRODUCED IN THE LEGISLATIVE ASSEMBLY.]

A Bill further to amend the Legal Practitioners Act, 1879.

WHEREAS it is expedient further to amend the Legal Practitioners Act, 1879, for the purposes hereinafter appearing; It is hereby enacted as follows :—

XVIII of 1879.

Short title.

1. This Act may be called the Legal Practitioners (Amendment) Act, 1925.

Amendment of section 2, Act XVIII of 1879.

2. For the definition of "tout" in section 3 of the Legal Practitioners Act, 1879 (hereinafter referred to as the said Act), the following definition shall be substituted, namely :—

XVIII of 1879.

" 'tout' means a person—

- (a) who procures the employment in any legal business of any legal practitioner, in consideration of any remuneration moving from such practitioner or from any person interested in such business; or who proposes to procure the employment in any legal business of any legal practitioner to such legal practitioner or to any person interested in such business, in consideration of any remuneration moving from either of them; or
- (b) who habitually frequents the precincts of Civil or Criminal Courts or revenue-offices or railway stations, landing stages, lodging places, or other places of public resort for the purposes of such procurement."

Amendment of section 36, Act XVIII of 1879.

3. In section 36 of the said Act,—

- (a) in sub-section (F) after the word "satisfaction" the words "or to the satisfaction of any subordinate Court as provided in sub-section (3A)" shall be inserted;
- (b) in sub-section (1) the following *Explanation* shall be added, namely :—

" *Explanation.*—Evidence of general repute including a resolution passed by a majority of not less than two-thirds of the members of an association of persons entitled to

practice as legal practitioners in any Court or revenue office, declaring that any person is or is not a tout";

(c) after sub-section (2) the following sub-section shall be inserted, namely:—

"(2A) A Court, Judge, Magistrate or officer empowered under sub-section (1) to frame and publish a list of touts may send to any Court subordinate to such authority a list of persons alleged or suspected to be touts; the subordinate Court shall thereupon hold an inquiry into the conduct of the persons mentioned in such list, and shall report whether any such person has been proved to its satisfaction to be a tout, to the authority by which the list was sent; and that authority, where any such person is proved to the satisfaction of the subordinate Court to be a tout, shall include the name of such person in the list of touts framed and published by that authority."

(d) after sub-section (3) the following sub-section shall be inserted, namely:—

"(3) Any person whose name is included in any such list who acts as a tout shall be punished with imprisonment which may extend to six months, or with fine which may extend to five hundred rupees, or with both."

STATEMENT OF OBJECTS AND REASONS.

In their report the Bar Committee made the following observations in regard to touting:—

"We feel that our report would not be complete without some reference to an evil which was brought prominently to our notice in the course of our enquiry. The evidence which we have received leaves no doubt that toutting of various kinds prevails in most parts of India. The law with reference to toutting was strengthened in 1896, but has proved entirely ineffective. The plain fact is that unless the legal profession assists the courts to suppress touts little can be done by way of legislation."

The Civil Justice Committee also referred to the fact that the employment of touts is the evident and immediate cause of many false claims and defences and of much waste of time in courts.

The question of amending the law so as to permit of the effective suppression of toutting was considered at length by the Government of India in consultation with the local Governments and with judicial authorities immediately before the war, and it was only because of the war that legislation was not then undertaken. The Government of India consider that in view of the observations of the two Committees referred to above, in regard to the inefficiency of the present law and the evils attendant upon toutting, legislation on the matter should no longer be delayed. The Civil Justice Committee have made definite recommendations for the amendment of the law and these have been considered with the conclusions which had been arrived at by the Government of India in 1913 to 1915. The result of that consideration is embodied in the present Bill. Briefly it is proposed to amend the law in the four following respects:—

- (i) to extend the definition of a tout in section 3 of the Legal Practitioners Act, 1879, so as to include firstly, persons whose remuneration comes from any person interested in any legal business as well as persons whose remuneration comes from the legal practitioner himself and secondly, persons who habitually frequent places of public resort for the purpose of procuring the employment in any legal business of any legal practitioner;
- (ii) to permit the receipt of a resolution passed by a majority of not less than two-thirds of the members of a Bar Association as evidence of general repute;
- (iii) to enable the courts and authorities who may now frame and publish lists of touts to cause enquiries to be held by a subordinate court, which enquiries, if the subordinate court concludes that the persons in question have been proved to be touts, will lead to their inclusion in the list of touts framed and published under section 36 of the Legal Practitioners Act; and
- (iv) to penalise any person whose name has been included in a list of touts who continues to act as a tout.

In regard to the last point it will be observed that under section 36 of the Legal Practitioners Act the authorities are only empowered to exclude from the precincts of the court persons named in the list of touts. With the extension of the definition of a tout to persons who frequent places of public resort other than civil or criminal courts or revenue offices, special provision is required as was in fact recommended by the Civil Justice Committee.

A. P. MODURAN.

GOVERNMENT OF INDIA.

Legislative Department.

[AS INTRODUCED IN THE LEGISLATIVE ASSEMBLY.]

A Bill to Amend the Presidency-towns Insolvency Act, 1909, and the Provincial Insolvency Act, 1920.

WHEREAS it is expedient to extend the operation of the Presidency-towns Insolvency Act, 1909, to the town of Karachi and to amend the said Act and the Provincial Insolvency Act, 1920, for the said purpose, and for the further purposes hereinafter appearing: It is hereby enacted as follows:—

III of 1909.

V of 1920

Short title and commencement.

1. (1) This Act may be called the Insolvency (Amendment) Act, 1925.

(2) It shall come into force on such date as the Governor General in Council may, by notification in the *Gazette of India*, appoint.

Amendment of preamble to Act III of 1909.

2. In the preamble to the Presidency-towns Insolvency Act, 1909 (hereinafter referred to as the said Act), for the words "town of Rangoon" the words "towns of Rangoon and Karachi" shall be substituted.

III of 1909.

Amendment of section 2, Act III of 1909.

3. After clause (b) of section 2 of the said Act the following clauses shall be inserted, namely:—

"(bb) 'judge' includes a Judicial Commissioner and an Additional Judicial Commissioner;

(bbb) 'limits of the ordinary original civil jurisdiction' means, in respect of the Court of the Judicial Commissioner of Sind, the limits of the municipal district of Karachi as from time to time constituted under the Bombay District Municipal Act, 1901, the Fort of Karachi, the Cantonments of Karachi and Manora, and any area within the original civil jurisdiction of the said Court notified in this behalf by the Local Government."

Bomb. Act. III of 1901.

Amendment of section 3, Act III of 1909.

4. In section 3 of the said Act,—

(a) in clause (a), for the words "and Bombay" the words "Bombay and Rangoon" shall be substituted; and
(b) for clause (b) the following clause shall be substituted, namely:—

"(b) the Court of the Judicial Commissioner of Sind."

Amendment of section 4, Act III of 1909.

5. In section 4 of the said Act, for the words "Chief Judge" the words "Judicial Commissioner" shall be substituted.

Amendment of section 6, Act III of 1909.

6. In sub-section (1) of section 6 of the said Act, for the words "Chief Judge" the words "Judicial Commissioner" shall be substituted.

Amendment of section 77, Act III of 1909.

7. In sub-section (1) of section 77 of the said Act, for the words "and Bombay, and the Chief Judge of the Chief Court of Lower Burma" the words "Bombay and Rangoon and the Judicial Commissioner of Sind" shall be substituted.

Amendment of section 90, Act III of 1909.

8. In sub-section (3) of section 90 of the said Act, for the words "Chief Court of Lower Burma" the words "Court of the Judicial Commissioner of Sind" shall be substituted.

Substitution of new section 104, Act III of 1909. Procedure on charge under section 104.

9. For section 104 of the said Act the following section shall be substituted, namely:—

"104. (1) Where the Court is satisfied that there is ground for inquiring into any offence referred to in section 103 and appearing to have been committed by the insolvent, it may, notwithstanding anything contained in section 121, frame a charge of such offence against the insolvent and try the insolvent on such charge.

(2) The Court shall in such trial follow, as far as may be, the procedure for the trial of warrant cases by Magistrates prescribed by Chapter XXI of the Code of Criminal Procedure, 1898, and nothing in Chapter XXIII of the said Code relating to trials before High Courts and Courts of Session shall be applicable to such trial.

V of 1909.

(3) Any number of offences under this Act may be charged at the same time.

(4) The Court may, notwithstanding anything contained in section 121, instead of itself framing a charge

against and trying the insolvent under sub-section (1), make a complaint of the offence in writing to the nearest Magistrate of the first class having jurisdiction, and such Magistrate shall deal with such complaint in the manner laid down in the Code of Criminal Procedure, 1898:

V of 1898.

Provided that it shall not be necessary to examine the complainant."

Saving of pending proceedings.

10. Any proceedings under the Provincial Insolvency Act, 1920, pending in the Court of the Judicial Commissioner of Sind at the commencement of this Act, shall continue, and all the provisions of the said Act shall apply thereto as if this Act had not been passed.

V of 1920.

Amendment of Act V of 1920.

11. In the Provincial Insolvency Act, 1920,—

V of 1920.

(a) in the preamble, for the words "Town of Rangoon" the words "Towns of Rangoon and Karachi" shall be substituted;

(b) in clause (b) of sub-section (1) of section 2, for the words "and of the Town of Rangoon" the words "the Town of Rangoon and the limits of the ordinary original civil jurisdiction of the Court of the Judicial Commissioner of Sind as defined in section 2 of the Presidency-towns Insolvency Act, 1909" shall be substituted; and

III of 1909.

(c) for sub-sections (1), (2) and (3) of section 70 the following shall be substituted, namely:—

Procedure on charge under section 69

"70. (1) Where the Court is satisfied that there is ground for inquiring into any offence referred to in section 69 and appearing to have been committed by the insolvent, it may frame a charge of such offence against the insolvent and try the insolvent on such charge.

(2) The Court shall in such trial follow, as far as may be, the procedure for the trial of warrant cases by Magistrates prescribed by Chapter XXI of the Code of Criminal Procedure, 1898, and nothing in Chapter XXIII of the said Code relating to trials before High Courts and Courts of Session shall be applicable to such trial."

V of 1925

STATEMENT OF OBJECTS AND REASONS.

The inadequacy of the provisions of the Provincial Insolvency Act to meet the requirements of the town of Karachi has been brought to the notice of the Government of India from time to time since 1909 when the Presidency-towns Insolvency Act was passed. The question was, for example, raised in connection with the revision of the Provincial Insolvency Act in 1920. Hitherto the Government of India have adopted the view that the machinery of the Presidency-towns Insolvency Act, 1909, is not suitable for a Court of less status than a Chief Court, and further that the changes introduced in the Provincial Insolvency Law by Act V of 1920 were probably sufficiently adequate to preclude the necessity of the extension of the Presidency-towns Insolvency Act to Karachi. The Civil Justice Committee have considered the matter further and have strongly recommended that the Presidency-towns Insolvency Act should be applied to Karachi with as little delay as possible. The question of raising the status of the Court of the Judicial Commissioner of Sind to a Chief Court is also under the consideration of the Government of Bombay. The present Bill proposes to give effect to this recommendation and also to two other recommendations made by the Civil Justice Committee, namely:—

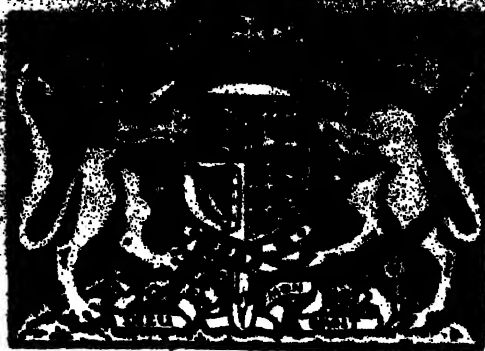
(i) that provisions on the lines of sub-section (5) of section 70 of the Provincial Insolvency Act, 1920, should be inserted in section 104 of the Presidency-towns Insolvency Act, 1909, so as to enable the Insolvency Court instead of proceeding itself to try the case to make a complaint to the nearest first class Magistrate having jurisdiction; and

(ii) that the existing procedure in section 104 of the Presidency-towns Insolvency Act and in section 70 of the Provincial Insolvency Act by which before a Court proceeds to try an insolvent or debtor for certain offences against the insolvency law, it is required to serve a notice or summons on the insolvent or debtor to show cause why a charge or charges should not be framed against him should be modified on the lines of the English Bankruptcy Law under which an order for prosecution may be obtained from the Court without consulting the bankrupt on the subject.

Advantage has also been taken of this opportunity to make certain formal amendments to the Presidency-towns Insolvency Act necessitated by the constitution of a High Court of Judicature at Rangoon.

A. P. MUDDINAK.

The 14th August 1925.



The Calcutta Gazette

THURSDAY, SEPTEMBER 17, 1925.

SUPPLEMENT.

Official Papers.

[Non-Subscribers to the GAZETTE may receive SUPPLEMENT separately on payment of five rupees per annum if delivered in Calcutta, or seven rupees and eight annas if sent by post.]

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REPORT ON THE ADMINISTRATION OF THE SALT DEPARTMENT IN BENGAL DURING THE YEAR 1924-25.

NOTIFICATION.

No. 9T.—S.R.—The 5th September 1925.—Extracts paragraphs 1, 2, 3, 4, 8 and 9 from the report of the Commissioner of Excise and Salt, Bengal, on the Administration of the Salt Department in the Presidency of Bengal during the year 1924-25 are published for general information.

R. DOUGLAS,

Deputy Secretary to the Government of Bengal.

No. 2865E., dated Calcutta, the 27th-29th June 1925.

From—G. P. HOGG, Esq., M.A., I.C.S., Commissioner of Excise and Salt, Bengal,

To—The Secretary to the Government of Bengal, Finance Department.

I have the honour to submit the following report on the Administration of the Salt Department for the year 1924-25. The report deals with the inland preventive work, control of inland bonded warehouses and control of saltpetre refineries and soda factories, and has been prepared in the manner approved in paragraph 2 of letter No. 74, dated the 6th January 1925, of the Government of India, Finance Department (Central Revenue).

2. **Change of the Deputy Commissioner.**—On the 2nd April 1924 to the 15th November 1924, Mr. O. P. S. Deputy Commissioner of Excise and Salt was in charge of the department during that period. I held charge during the remainder of the year.

3. **Manufacture of salt in Bengal.**—No license was granted for the manufacture of salt during the year under review.

4. **Prices of salt in Bengal generally.**—The average wholesale prices per maund of salt inclusive of duty at all the district headquarters during the past three years are shown in Appendix A. There was a decrease of 13 annas and 10 pias as compared with the previous year's average.

5. **Saltpetre refineries and soda factories.**—There were two licensed saltpetre refineries at Kakurgachi, as compared with 3 refineries in the previous year. The quantity of refined saltpetre produced during the year was 1,059 maunds, as compared with 1,440 maunds in the previous year. The decrease in the production was due to the closure of one refinery. No quantity of purified salt or *sitta* (impure salt) was educed in the process of refinement during the year under report, and there was no sale of purified salt. A sum of Rs. 100 was realized as license-fee from the two saltpetre refineries. There was no factory for the manufacture of sulphate of soda.

6. **Inland bonded warehouses.**—There were 6 private bonded warehouses in this Presidency, viz., 1 at Naraingunge, 3 at Jhalakati and 2 at Chandpur. One warehouse at Jhalakati was closed during the course of the year. The warehouse at Naraingunge in the district of Dacca was inspected by the Collector of Dacca, the Superintendent of Excise and Salt, Dacca, and the Sub-Divisional Officer of Naraingunge. The warehouses at Jhalakati in the district of Bakarganj were inspected by the Superintendent of Excise and Salt of the district. The warehouses at Chandpur in the district of Tippera were inspected by the Sub-Divisional Officer of Chandpur and the Superintendent of Excise and Salt, Tippera.

Section under Section 43 of Bengal Act V of 1911.

**SCHEME NO. VIIG—FROM CHITPORE ROAD (UPPER) TO STRAND ROAD (NORTH)
(PORTION OF PROPOSED PUBLIC STREET NO. XIII).**

THE Board of Trustees for the Improvement of Calcutta hereby give notice that a Street Scheme, viz., Scheme No. VIIG, being a Portion of Alignment No. XIII as sanctioned by Government, has been framed for the area bounded as follows:—

On the North.—From a point on the western edge of Strand Road opposite the north-western corner of No. 51-3, Strand Road (North) running eastwards in a straight line along the northern boundary of No. 51-3, Strand Road (North) to the corner of Durpo Narain Tagore Street where it turns to the north opposite No. 5, Durpo Narain Tagore Street, thence along the northern edge of Durpo Narain Tagore Street, to the south-western corner of No. 25, Durpo Narain Tagore Street, thence northwards along the western boundary of No. 25, Durpo Narain Tagore Street to its north-western corner, thence eastwards in a straight line to a point on the eastern edge of Braja Dulal Street about 10 feet south from the north-western corner of No. 2-1, Braja Dulal Street; thence northwards along the eastern edge of Braja Dulal Street to the north-western corner of No. 51, Rutton Sircar Garden Street, thence eastward along the northern boundary of No. 51, Rutton Sircar Garden Street to its north-eastern corner, thence northwards along the western boundary of No. 19, Lal Madhab Mukherjee Lane to its north-western corner, thence along the southern boundaries of No. 17-2 and No. 17-3, Lal Madhab Mukherjee Lane to the south-eastern corner of No. 17-3, Lal Madhab Mukherjee Lane, thence northwards along the western edge of Lal Madhab Mukherjee Lane for a distance of about 20 feet, thence eastwards in a straight line to the north-western corner of No. 9, Lal Madhab Mukherjee Lane, thence northwards to the south-eastern corner of No. 14, Lal Madhab Mukherjee Lane, thence eastwards along the southern boundaries of Nos. 15 and 12, Lal Madhab Mukherjee Lane, to a point on Khelat Ghose Lane, about 8 feet east from the south-eastern corner of No. 12, Lal Madhab Mukherjee Lane, thence southwards along the western edge of Khelat Ghose Lane to the north-western corner of No. 371, Chitpore Road (Upper), thence eastwards along the northern boundary of No. 371, Chitpore Road (Upper) to a point on the east side of Chitpore Road (Upper) about 40 feet east from the north-eastern corner of No. 371, Chitpore Road (Upper).

On the East.—From this point southwards along the eastern edge of Chitpore Road (Upper) to a point about 40 feet east from the north-eastern corner of Nos. 373-4 to 373-7, Chitpore Road (Upper).

On the South.—From this point westwards in a straight line along the northern boundary of Nos. 373-4 to 373-7, Chitpore Road (Upper) to its north-western corner, thence southwards in a straight line to the north-eastern corner of No. 15-1, Roy Lane, thence westwards along the southern edge of Roy Lane to the north-eastern corner of No. 26-8, Raja Brojendra Narain Roy Street, thence northwards to a point on the southern boundary of No. 33-1, Rutton Sircar Garden Street, about 7 feet west from its south-eastern corner, thence westwards along the southern boundary of No. 33-1, Rutton Sircar Garden Street to its south-western corner, thence northwards along the western boundary of No. 33-1, Rutton Sircar Garden Street to the southern boundary of No. 31, Rutton Sircar Garden Street, thence westwards along the southern boundaries of Nos. 33, 32A and 32B, Rutton Sircar Garden Street to the south-western corner of Nos. 32A and 32B, Rutton Sircar Garden Street, thence southwards along the eastern boundary of No. 31, Rutton Sircar Garden Street to the south-eastern corner of No. 31, Rutton Sircar Garden Street, thence westwards along the southern boundaries of Nos. 31 and 30, Rutton Sircar Garden Street to the south-western corner of No. 30, Rutton Sircar Garden Street, thence northwards along the western boundary of No. 30, Rutton Sircar Garden Street to the south-eastern corner of No. 29, Rutton Sircar Garden Street, thence westwards along the southern boundary of No. 29, Rutton Sircar Garden Street to the eastern boundary of the Park, about 75 feet north from the south-eastern corner of the said Park, thence northwards along the eastern boundary of the Park up to its north-eastern corner, thence westwards along the northern boundary of the Park to a point on the eastern boundary of No. 3, Singhee Dutt Lane about 42 feet south from the north-eastern corner of No. 3, Singhee Dutt Lane, thence southwards along the western edge of Singhee Dutt Lane to the junction of Rutton Sircar Garden Street and Shibbala Street, thence westwards along the southern edge of Rutton Sircar Garden Street to the north-eastern corner of No. 1-1, Kalakar Street, thence northwards to the southern boundary of Nos. 60A and 60B, Rutton Sircar Garden Street, about 8 feet west from its south-eastern corner, thence westwards along the northern edge of Rutton Sircar Garden Street to the south-eastern corner of No. 24-1, Darmahatta Street, thence northwards along the eastern boundary of No. 24-1, Darmahatta Street, up to its north-eastern corner, thence westwards along the northern boundary of No. 24-1, Darmahatta Street to its north-western corner, thence southwards along the eastern edge of Darmahatta Street to a point about 20 feet south from the north-western corner of No. 24-1, Darmahatta Street, thence westwards in a straight

line to a point on the eastern edge of Strand Road (North) about 50 feet south from the north-western corner of No. 231, Dalhousie Street, thence along the same direction to the western edge of Strand Road (North).

On the West.—From this point northwards along the western edge of Strand Road (North) to the starting point.

Particulars of the scheme, a map of the area comprised in the scheme and a statement of the land, which it is proposed to acquire, may be inspected at the offices of the Trust, 3, Clive Street, on week days, between the hours of 11 A.M. and 4 P.M., and on Saturdays between 11 A.M. and 2 P.M.

Copies of the above documents will be delivered to the applicant on payment of the following fees:—

	Rs.	A.
Particulars of the scheme	0	4
Map of the area	1	0
Statement of the land, which it is proposed to acquire	0	4

Objection to the scheme will be received up to the 10th December 1925.

A. MARR, *Chairman.*

3, CLIVE STREET, CALCUTTA, the 28th August 1925.

CALCUTTA IMPROVEMENT TRUST.

Notice under section 47 (2) of Bengal Act V of 1911.

NOTICE is hereby given that the Board of Trustees for the Improvement of Calcutta has applied to the Local Government for sanction to the Improvement Scheme No. XXV (Kapalitola Lane Widening—from Nalanda Square to Scheme No. VII(D) which was originally notified in the issue of the *Calcutta Gazette* of 19th March 1925.

A. MARR, *Chairman.*

CALCUTTA, the 5th September 1925.

Annual report of the Royal Botanic Garden and the Gardens in Calcutta and of the Lloyd Botanic Garden, Darjeeling, for 1924-25.

ROYAL BOTANIC GARDEN.

1. **General.**—A period of drought during the first few months of the year under review added to the difficulties of gardening operations already made perplexing by the necessity of accommodating oneself to a reduced budget and exploring every avenue for the reduction of expenditure. The months of April and May were exceedingly hot and dry for a garden containing so many exotic species unaccustomed to extremes of climate. To prevent mortality in such circumstances is impossible. The best one can do is to replace as fast as inroads on the collections are made and to nurse casualties back to health. Additions to the garden therefore called for special attention during the year, and Mr. Mitra, officiating Curator in charge, throughout the period, when planting out could be done, deserves special mention for his praiseworthy efforts in bringing round sickly plants and in the replacement of those that had failed altogether to stand the adverse conditions. The early period of drought had, however, a compensatory effect in restricting the development of grass and undergrowth and so rendering the lawns and other parts of the garden, where mowing or sickling is regularly carried on, comparatively easy of maintenance. The rains were prolonged into the month of November and water, therefore, was available in sufficient quantity to dispense with an early running of the pumping plant for supply to garden lakes.

Amongst operations of a routine nature the renovation and enlargement of collections under cover may be specially mentioned. The Orchid house which, so far as the beds are concerned, was reconstructed two years ago has gained much through the attention paid to it. The ground collections here have now had time to completely accommodate themselves to the new beds, while the hanging collection renewed by the accession of consignments of orchids from the Assam jungles have little to add to the attractiveness of this, the favourite resort for visitors. Though closed to the public and therefore little known, the main shade house of the nursery is now second to none in the garden. Here the collections of foliage plants and in particular of palms in pots are housed and brought to a condition suitable for exhibit in the out-houses. With a view to gradually increasing the out collections so dependant on this nursery for variety and effectiveness efforts were made during the year to bring the stock collections to a state fit to meet any demands made on them. A rearrangement was effected allowing of easy determination of what the collections contained and the more valuable or rarer species were housed and locked off in a secondary enclosure within the main structure. Experience has demonstrated the utility of this elementary precaution, for it may not be generally known that the local *mali*, general garden worker or even casual visitor is not so ignorant of the relative values of the different plants he has opportunity to handle as he is sometimes supposed to be. Losses there have been and plants once in the collections have disappeared and reappeared on sale, but petty theft is an offence not confined to any garden. What is pleasant to report is the perceptible abatement in that form of crime which has as its object only a wilful and senseless spoliation of plants and garden property to satisfy a craving for destruction and to prevent the enjoyment of others.

In common with annuals in the district this class of plant appeared very late in bloom, the long cold season no doubt being responsible for this. A collection of rose grafts for the garden was acquired from North-West India at the beginning of the cold weather. Favoured by the length of this season they flourished exceedingly but showed signs of distress when the hot weather arrived. Although in many parts of Bengal it can be grown well, the rose is a plant somewhat exacting in the conditions it demands for success. One sees very few of the species in Calcutta itself although as near to it as Barrackpore roses can be grown to great beauty and in variety. The Howrah side and Silpur along with it unfortunately takes after the parent city in this respect and is in general unsuited to their cultivation.

Besides the usual routine work directed to keep the garden in a fit state certain other works towards the maintenance of garden accessories have been carried out. No less than 20,280 sq. yds. of road, subject to the incessant traffic of modern rubber wheeled vehicles, have had to be repaired. Repairs comprised the whole of the Hamilton Avenue,

the College gate front, the Walling Avenue from College gate to the probationers' quarters, parts of the Falconer and Rumburgh Avenues and the complete length of the Palmyra Avenue. In addition the Kyd monument and certain other garden structures were overhauled.

Reference has been made in recent reports to the state of the great Banyan tree. The decay that has set in, probably senile in the first place, has now become pronounced through the attacks of a virulent fungoid growth. It soon became evident that nothing would save the central column and that the only method of prolonging the life of the radial parts was to operate. At the time of writing the central portion has been completely removed and the decaying branches severed at points ahead of the disease. The intention is, as soon as the rains break, to transplant as large a stock as possible into the vacant space and when this gets established to graft it to the old plant. Owing to the great age and magnitude of the branches success will be doubtful but nothing short of this drastic treatment now offers any chance for the tree. Although conditions are bad at its centre, the Banyan shows no signs of this externally, and in respect of symmetry the number of aerial roots fixed in the ground and area covered must still remain the finest specimen of its kind in existence.

2. Plant and seed exchange.—Interchange of plants and seeds with other Botanical, Agricultural and Forestry Departments and with private individuals has been well maintained throughout the year. Some 17,654 plants were distributed, of which 9,100 were trees for road side and other planting, 3,851 were shrubs and 4,438 palms and surplus annuals. The balance was made up of climbers, bamboos, ferns and orchids. As is usual many of these went to Government institutions, District Boards, railways and municipalities.

In order that the plants collected by Mr. Kingdom Ward during his visit to Tibet and the Brahmaputra gorge might not have to suffer by any excessive delay in getting conditions for their growth, six large wardian cases for despatch to England were prepared in anticipation of his arrival. Into these went the wonderful collection of bulbs, rhododendrons and magnolia cuttings brought back. Besides a few plants brought back for the garden Mr. Kingdom Ward handed over a number so much the worse for the long journey they had made that they would never have travelled to England alive. They were immediately attended to, but it is too early yet to say whether the journey they have already had combined with the great change in their surroundings may not prove too much for them.

In the general receipt side is to be recorded a collection of some 1,482 plants, many of them orchids. Packets to the number 286 and 28 lbs. of seeds were distributed and 127 packets received.

3. Herbarium and Library.—The continued vacancy in the post of second assistant for systematic work and the absence on sick leave of the officiating Curator of the Herbarium has resulted in much of the work in this department devolving on Mr. Narayanaswami. With one officer only to do the duties of three it was impossible to attempt anything beyond general routine work. The plants already incorporated were reasonably well maintained and a praiseworthy attempt on Mr. Narayanaswami's part made to incorporate the thousands of sheets lying outside their proper cabinets. The result attained is commensurate with the labour this has involved. The herbarium looks much the cleaner for the arrangement made and there is now room to work without fear of having one's material mixed with loose collections and sheets lying about. In the aggregate some 11,000 sheets were incorporated. These include collections from all over India and Burma as well as certain foreign representatives from Africa, America and China. The most noteworthy additions are Mr. Narayanaswami's own collections from the Rampa country, Mr. Fischer's Madras Presidency plants, the writer's and Mr. Ramaswami's South Indian collections and representative collections made by Forest officers and others in Burma.

Identifications of current consignments were made on behalf of the numerous correspondents who continue to take advantage of the facilities afforded by Sibpur for such works.

Distributions include a large collection of Indian and Malayan duplicates to help build up an herbarium in the Botanical Department of the University of Allahabad. Small cases of Eastern Himalayan material collected by the writer and garden material collected by Mr. Narayanaswami were sent for the use of Edinburgh and Aberdeen Universities in connection with the botanical training of Forestry students.

The library is now free of arrears of debt and a normal number of additions has been made to it.

4. **Publications.**—No purely garden publications appeared during the year, but the distribution of Part II of Vol. XII of the *Annals of the garden*, as well as the Appendix to Vol. XI was completed so far as the national affairs in certain countries would allow. The work left at his death by Signor Baccari is being brought together by Professor Martelli and a promise has been given that, so far as funds permit, the cost of publication of the plates necessary to illustrate the volume will be met. A list of Indian species of plant not appearing in *Hooker's Flora of British India*—a compilation started as a library work and continued as a work of the Botanical Survey—is ready and about to go to Press.

5. **Financial.**—Out of a total budget allotment of Rs. 1,07,038 Rs. 1,06,461-15-2 were spent. There was a saving of Rs. 5,256-7-10 mainly under "Subordinate garden staff" and "Clerical establishment", but this is almost absorbed by an excess of Rs. 4,680-7 mainly due to increase in pay of the officiating Curator of the Herbarium and inclusion of leave allowance of the Curator of the Garden. The grant of Rs. 29,468 for temporary establishment was spent in full as was also the allowance of Rs. 14,000 for contract contingencies.

6. **Staff.**—Lieutenant-Colonel A. T. Gage, C.I.E., I.M.S., was on leave throughout the year, during which time the writer officiated as Superintendent. Up till the 13th October 1924 Mr. P. M. Debbarman officiated as Curator of the Herbarium. From this date till the end of the year he was absent on leave through sickness. His place was taken by Mr. V. Narayanaswami who continued to act as Curator of the Herbarium in addition to his own duties till the end of the year. Mr. W. V. North was Curator of the Garden from the 1st April till the 23rd May and again from the 24th January till the end of the year. During the early part of his absence on leave Mr. S. N. Bose officiated as Curator; thereafter Mr. N. Mitra took charge. The post of Assistant Curator was held first by Mr. S. N. Basu and afterwards while this officer acted, by Mr. Merlin Jones. Mr. Safdar Khan acted as Overseer from the 1st October 1924 till the 19th January 1925. The Head Clerk, Babu S. K. Mitra was on leave from the 1st April till the 1st May 1924, Babu A. T. Banerji, seventh clerk, being selected to perform the duties of Head Clerk during this officer's leave. All officers and the clerical staff have given satisfaction in the performance of their duties.

CALCUTTA GARDENS.

Apart from routine work in these gardens there devolved on the staff the duty of repairing the extensive damage done to the Eden Gardens, while it was temporarily occupied by the Calcutta Exhibition authorities. In the course of erection of structures for this exhibition numbers of plants were damaged and some had to be removed altogether. The ride was left without a blade of grass on it; the Canna garden, from which all collections had been removed to avoid destruction, presented a desolate appearance and the garden throughout was strewn with bricks, concrete foundations and the usual debris that such an event leaves in its wake. As other funds were not made available, it was inevitable that the budget allotment should first be directed towards repairs and, if during the first half of the year complaints as to the condition of the garden were freely made public in the Press, it was beyond the power of the staff to bring it to a presentable condition earlier and at the same time retain enough money in hand to meet inevitable expenditure in the last months of the year. With the help of a Ford Tractor kindly loaned by the Company supplying these the ride was brought back to condition and returned, the Canna garden was replanted and rubbish having been removed, casualties in the permanent collections made good. Although there are still evidences of the exhibition in relics of broken masonry, dismantled seats and gaping breaches in a few hedges the garden is well back to its former condition and has now regained the popularity it previously had as a place of resort for the Calcutta public.

New accessions to the Eden Garden include a collection of hybrid Dahlia bulbs received from Europe.

In the other Calcutta gardens the year's work was mostly of a routine character. As elsewhere, cold weather annuals were late but several beds in the Curzon Gardens eventually repaid the trouble taken over them and were much admired by the passing public. To Messrs. Mitra,

Basu, Quasem Ali and Safdar Khan, the officers in charge, are due thanks for the manner in which they carried out repairs and brought the gardens back to condition.

Of the full budget allotment of Rs. 29,486, Rs. 28,870-6 were spent. There was an excess of Rs. 104-9 in the grant for garden staff, but this is more than set off by a saving of Rs. 716-2 on the pay of Assistant Curator. The net saving was Rs. 615-10.

LLOYD BOTANIC GARDEN, DARJEELING.

The rainfall for the year was 120.38 inches being slightly in defect although rain commenced early the 11th April and continued till late—the 23rd October. The fall in this interval was well distributed as is shown by the number of days, 46 only, in which no measureable amount was recorded. The cold season, the dulllest and most severe recorded for many years, was responsible for a certain amount of damage to both exotic and indigenous plants in the permanently planted-out collections, while certain plants in the local forests also felt its effects. Amongst exotics the following were the chief sufferers—*Cestrum aurantiacum* and other species, *Jussiaea peruviana*, *Fuchsia macrostemma* and other species and *Doryanthes Palmeri* and of indigenous plants from levels lower than Darjeeling the following—*Laculia gratissima*, *Cassia laxigata*, *Solanum nerbascifolium*, *Saurauja fasciculata*, *Musa nepalensis* and *Curculigo recurvata*. All these species are ordinarily quite hardy in Darjeeling.

As a consequence of the efforts made during the past two years to bring the garden paths and structures into good condition and the strict economy practised with regard to labour during the year, it has been found possible to carry out a few improvements during the past cold season. Certain decaying wooden railings have been replaced by iron fencing, the steepest of the paths,—difficult to maintain, if metalled—have been paved with stone blocks, revetment walls have been erected and an effort, more prolonged and determined than usual, has been made to rid the lawns and plants of moss. Some 78 species of plants new to the garden were planted out in the permanent collections during the year and a few examples which had become old, decrepit or damaged by storms were replaced.

In addition to garden work proper distribution of local seeds and plants has been carried out as in previous years.

In this Garden there was a saving of Rs. 98-7-7, mostly under rents, rates and taxes, out of a total budget allotment of Rs. 20,944.

The high standard of Mr. Cave's work in all directions has been so frequently referred to in these reports that it is, perhaps, unnecessary to comment on it further. Suffice it to say, therefore, that in the present year of his service this standard has been amply maintained.

C. C. CALDER,
Superintendent,
Royal Botanic Garden, Calcutta.

DISTRICT REPORTS ON WEATHER AND CROPS.

For the week ending on the 24th September 1922.

Summary.—The rainfall during the week continued light to moderate, the fall being heavy in parts of Dinajpur, Darjeeling, Dacca, Mymensingh and Tippera districts. Harvesting of autumn paddy is almost completed. Transplantation of winter paddy is nearing completion. Cutting, steeping and washing of jute are in full swing. The condition and prospects of the standing crops are fairly good. The price of common rice for the province has risen by about 0.42 per cent. as compared with that of the previous week.

Serial No.	District and subdivisions.	Rainfall.	Price of common rice, in annas, per mase.		Character of the weather, condition of crops, etc.
			This week.	Previous week.	
1	2	3	4	5	6
		Inches.			
1	24-PARGANAS...	2.13	5½	5½	Effects of weather on crops are seasonable. Fodder and water are sufficient.
	Diamond Harbour.	1.68	5½	5½	
	Barrackpore ...	0.82	5½	5½	
	Barasat ...	2.04	5½	5½	
	Basirhat ...	3.51	5½	5½	
2	NADIA ...	0.98	5½	5½	Weather seasonable. Prospects of standing crops are fair. Harvesting of <i>aus</i> paddy continues.
	Kushtia ...	4.50	5½	5½	
	Meherpur ...	0.13	8	6	
	Chnadanga ...	2.27	5½	5½	
	Ranaghat ...	1.48	5½	5½	
3	MURSHIDABAD	1.78	6	5½	More rain is wanted. Prospects of standing crops are favourable. Transplantation of winter paddy continues. Fodder is sufficient. The export of rice is going on slowly in Jangipur.
	Lalbagh ...	1.86	6	6	
	Jangipur ...	2.00	6½	6½	
	Kandi ...	1.03	6½	6½	
4	JESSORE ...	2.65	5	5	Weather fair. Prospects of standing crops are fair. Harvesting of <i>aus</i> paddy is finished. Cultivation of land for <i>rabi</i> crops is beginning. Fodder and water are sufficient. Export of paddy from Jhenidah is going on.
	Jhenidah ...	2.46	5½	5½	
	Magura ...	1.51	4½	4½	
	Narail ...	0.55	5	5	
	Bongaon ...	2.28	5½	6	
5	KHULNA ...	1.68	5	5	Weather seasonable. Transplantation of <i>aman</i> paddy and steeping of jute continue.
	Satkhira ...	2.38	5	5	
	Bagerhat ...	4.30.	4½	4½	

Serial No.	District and subdivision.	Rainfall. Inches.	Price of common rice, 25 maunds, per maund.		Character of the weather, condition of crops, etc.
			This week.	Previous week.	
1	2	3	4	5	6
6	BURDWAN ...	1.19	6	6	Aman paddy transplantation continues. Weeding operation has commenced in some places. Harvesting of jute and autumn paddy continues in Kalna. Crop prospects favourable. Fodder and water are sufficient. Rice stock sufficient. Import and export as usual.
	Asansol ...	2.75	5½	6	
	Katwa ...	0.80	6	6	
	Kalna ...	1.53	5¼	5½	
7	BIRBHUM ...	1.42	6½	6½	Common rice is selling at 6½ seers per rupee at Labpur. Transplantation of winter rice is finished. Cattle-disease is reported from thanas Labpur and Murari.
	Rampurhat ...	1.70	6	6	
8	BANKURA ...	0.72	6½	6½	Weather reasonable. Transplantation of paddy is finished. Fodder and water are sufficient.
	Vishnupur ...	1.17	5½	5½	
9	MIDNAPORE ...	0.89	(a)	5½	Transplantation of paddy seedlings is finished. Weeding of winter paddy is commenced. More rain is wanted. Prospects of standing crops are fair.
	Contai ...	2.61	(a)	6	
	Tamluk ...	1.42	(a)	6	
	Ghatal ...	6.32	(a)	6½	
	Jhargram ...	0.88	(a)	6	
10	HOOGLY ...	1.10	5	5	Weather hot. More rain is needed. Transplantation of winter paddy is being retarded. Fodder is sufficient.
	Serampore ...	0.90	5½	5½	
	Arumbagh ...	0.98	5½	5½	
11	HOWRAH ...	1.85	6½	6½	Transplantation of paddy is finished. Harvesting of jute has commenced.
	Uluberia ...	1.90	5½	5½	
12	RAJSHAHI (RAMPUR-BOALIA).	1.68	5½	5½	Slight rain fell. Weather reasonable. Prospects of standing crops are fair. Fodder and water are sufficient. Prices of rice are almost stationary.
	Naogaon ...	3.03	5½	5½	
	Nator ...	1.54	4½	5½	
13	DINAJPUR ...	2.38	5½	5½	Weather reasonable. Fodder and water are sufficient. Harvesting and steeping of jute are continuing.
	Thakurgaon ...	7.56	6	6	
	Balurghat ...	7.67	5½	5½	
14	JALPAIGURI ...	4.80	5	5	Condition and prospects of crops are good.
	Alipur ...	1.42	4½	4½	
15	DARJEELING ...	8.55	4½	4½	Maize, potato, <i>bhadai</i> paddy and jute are being harvested. Winter paddy and <i>marua</i> are progressing. Prospects of sugarcane are favourable. Cattle-disease exists in places. Fodder and water sufficient. Stock of rice is sufficient.
	Kurseong ...	8.35	4½	4½	
	Siliguri ...	6.49	6	5	
	Kalimpung ...	5.95	4½	4½	

(a) Not reported.

Serial No.	District and subdivisions	Rainfall	Total of common rain, in inches, per week.		Character of the weather, condition of crops, etc.
			This week.	Previous week.	
1	2	3	4	5	6
		inches.			
16	RANGPUR ...	1.73	4½	4½	Weather hot and cloudy. Harvesting and steeping of jute are in full swing.
	Nilphamari ...	1.91	5	5	
	Kurigram ...	1.41	5	5	
	Gaibandha ...	1.44	5	5	
17	BOGRA ...	4.56	5½	5½	Harvesting of jute and transplantation of <i>aman</i> paddy continue. Prospects of <i>aman</i> paddy are good. Cattle-disease is reported from thana Adamdighi.
18	PABNA ...	1.83	5½	5½	Prospects of standing crops are good. Fodder and water are sufficient. Steeping of jute continues.
	Sirajganj ...	5.09	5	5	
19	MALDA ...	2.07	5½	5½	Recent rains have improved the agricultural condition. Prospects of standing crops are fair.
20	COOCH BEHAR	2.10	6	5½	Weather cloudy and rainy. Cutting, steeping and washing of jute continuing. Prospects of standing crops are favourable. Fodder and water are sufficient.
21	DACCA ...	2.04	5	5	There was sufficient rainfall during the week. Harvesting of jute is nearly completed. Prospects of standing crops are satisfactory. Fodder and water are sufficient. Rice market is steady.
	Manikganj ...	1.67	5	5	
	Narayanganj ...	1.99	5½	5½	
	Munshiganj (a)	7.56	5	5	
22	MYMENSINGH	3.93	3½	4½	Weather rainy. Steeping and washing of jute are still continuing. Transplantation of <i>aman</i> paddy seedlings continues. Prospects of standing crops are fair. Fodder and water are available. Rice market is rising in Sadar but steady elsewhere.
	Jamalpur ...	5.61	5	5	
	Tangail ...	1.48	5½	5½	
	Netrakona ...	7.68	4½	4½	
	Kishoreganj ...	3.18	4½	4½	

(a) Munshiganj being very near to Dhaka and Narayanganj, its rainfall statistics are not quoted. To give information regarding the northern part of the district, rainfall figures for Kaptai thana are reported here.

District	Taluk and subdivision	Rainfall inches.	Type of season, etc., in the region		Character of the weather, condition of crops, etc.
			This week.	Previous week.	
1	2	3	4	5	6
23	FARIDPUR ...	2.40	5	5	Harvesting of jute continues. Weather is suitable for cutting and steeping of jute. Prospects and condition of paddy are fair. Fodder insufficient.
	Goalundo (Rajbari).	1.04	5	5	
	Madaripur ...	2.77	4½	5	
	Gopalganj (a) ...	2.19	5	5	
24	HAKARGANJ (BARISAL).	0.68	4½	4½	Weather hot. Prospects of standing crops are good. Fodder and water are sufficient.
	Pirojpur ...	2.16	4½	5	
	Patuakhali ...	4.28	4½	5	
	Dakshin Shahrampur (Bhola).	2.27	5	5	
25	CHITTAGONG ...	0.89	{ 6½ 6½ }	{ 6½ 6½ }	Harvesting of <i>aus</i> crop is nearly completed. Transplantation of winter paddy is in progress. Prospects of standing crops are fair. Fodder and water are sufficient. <i>Panga</i> salt is selling at 13½ seers per rupee at Sadar and 13 seers at Cox's Bazar.
	Cox's Bazar ...	4.22	5½	5	
26	TIPPERA (COMILLA).	11.34	4½	4½	Prospects of standing crops are good. Transplantation of <i>aman</i> paddy continues. Cattle-disease is reported from Brahmanbaria.
	Brahmanbaria	5.78	4½	4½	
	Chandpur ...	2.83	4½	4½	
27	NOAKHALI ...	1.11	4½	5	Weather seasonable. Transplantation of winter paddy continues. Prospects of standing crops are fair. Fodder and water are sufficient.
	Feni ...	3.04	4½	5	
28	CHITTAGONG HILL TRACTS.	1.24	6	5	Transplantation of winter paddy is finished.
29	TRIPURA STATE	3.78	4	4	Weather cloudy. Transplantation of winter rice and harvesting of <i>aus</i> and jute crops continue. Cattle-disease exists in one division. Fodder and water are sufficient. Standing crops are in fair condition. Cleanseed cotton sells at Rs. 40 and jute at Rs. 12 to Rs. 16 per maund.

* Baran, etc.

(a) The rainfall at Haridwar, which is very wet or tropical, is shown here.

J. C. ROY, for Director of Agriculture, Bengal.

Wholesale prices current of food grains, oil, etc., in the undisturbed parts of Bengal for the second-half of August 1922.

Mark.	Paddy, Local (Best Quality).			Paddy, Local (Common Quality).			Rice, Local (Best Quality).		
	Present return.	Next preceding return.	Corresponding return of last year.	Present return.	Next preceding return.	Corresponding return of last year.	Present return.	Next preceding return.	Corresponding return of last year.
1	2	3	4	5	6	7	8	9	10
	No. A. P.	No. A. P.	No. A. P.	No. A. P.	No. A. P.	No. A. P.	No. A. P.	No. A. P.	No. A. P.
Calcutta ...	4 2 0	4 2 0	4 4 0	3 12 0	3 12 0	4 0 0	3 14 0	3 14 0	3 0 0
Bardwan ...	4 0 0	4 0 0	(a)	3 14 0	3 14 0	3 8 0	3 4 0	3 0 0	3 0 0
Baniganj ...	.....	.....	.....	.....	.....	.....	.....	.....	.....
Midnapore ...	3 12 0	3 10 0	3 6 0	3 8 0	3 7 0	3 3 0	7 12 0	7 0 0	3 0 0
Obtingong ...	4 14 0	4 12 0	3 4 0	4 10 0	4 8 0	2 12 0	3 10 0	3 0 0	3 0 0
Dacca ...	4 10 0	4 12 0	4 4 0	4 0 0	4 0 0	3 12 0	3 12 0	3 0 0	3 0 0
Fabaa ...	4 12 0	4 11 0	3 10 0	4 2 0	4 0 0	3 8 0	3 0 0	3 0 0	3 0 0
Rangpur ...	3 14 0	3 14 0	3 5 0	2 8 0	(h)	2 8 0	11 0 0	11 0 0	10 10 0
Saranjan (Faba).	.....	.....	.....	.....	.....	.....	.....	.....	.....
Saranbari (Mymensingh).	.....	.....	.....	.....	.....	.....	.....	.....	.....
Narayanganj (Dacca).	.....	.....	.....	.....	.....	.....	.....	.....	.....

Mark.	Rice, Local (Common Quality).			Wheat.			Kajal Dal.		
	Present return.	Next preceding return.	Corresponding return of last year.	Present return.	Next preceding return.	Corresponding return of last year.	Present return.	Next preceding return.	Corresponding return of last year.
	11	12	13	14	15	16	17	18	19
	No. A. P.	No. A. P.	No. A. P.	No. A. P.	No. A. P.	No. A. P.	No. A. P.	No. A. P.	No. A. P.
Calcutta ...	7 4 0	7 4 0	8 0 0	5 0 0	5 0 0	4 0 0	6 4 0	6 4 0	6 4 0
Bardwan ...	6 14 0	6 12 0	7 8 0	7 0 0	7 0 0	(a)	7 0 0	7 0 0	5 8 0
Baniganj ...	.....	.....	.....	.....	.....	.....	.....	.....	.....
Midnapore ...	7 0 0	6 10 0	7 0 0	6 4 0	(a)	3 8 0	6 0 0	6 0 0	5 2 0
Obtingong ...	6 4 0	6 4 0	6 8 0	.....	.....	.....	.....	.....	.....
Dacca ...	7 12 0	8 0 0	7 12 0	6 12 0	6 12 0	5 8 0	4 8 0	(a)	5 4 0
Fabaa ...	7 4 0	7 4 0	6 14 0	6 4 0	6 4 0	4 4 0	7 4 0	7 0 0	7 0 0
Rangpur ...	5 4 0	5 4 0	5 4 0	5 0 0	5 0 0	5 0 0	6 4 0	6 4 0	.....
Saranjan (Faba).	.....	.....	.....	.....	.....	.....	.....	.....	.....
Saranbari (Mymensingh).	.....	.....	.....	.....	.....	.....	.....	.....	.....
Narayanganj (Dacca).	.....	.....	.....	.....	.....	.....	.....	.....	.....

(a) Not available.

(b) Am.

(c) No transaction.

wholesale prices-current of food-grains, oil, and other commodities at the principal markets of Bengal for the week ending 11 August 1925.

Name.	RICE.			RICE OIL.			LINSEED.		
	Present return.	Next preceding return.	Corresponding return of last year.	Present return.	Next preceding return.	Corresponding return of last year.	Present return.	Next preceding return.	Corresponding return of last year.
	20	21	22	23	24	25	26	27	28
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Calcutta	3 14 0	3 14 0	3 12 0	6 12 0	6 12 0	7 0 0	6 12 0	6 12 0	6 12 0
Hardwar	4 5 0	4 5 0	4 5 0	4 12 0	4 12 0	5 5 0	5 0 0	5 0 0	(a)
Rangoon	.....	.....	.....	.....	.....	.....	.....	.....	.....
Midnapore	4 12 0	4 12 0	4 5 0	7 0 0	7 4 0	7 5 0	6 5 0	6 0 0	6 0 0
Dhaka	5 9 0	5 5 0	5 4 0	5 12 0	7 0 0	7 0 0	9 0 0	9 0 0	10 0 0
Dacca	5 0 0	5 0 0	5 0 0	5 5 0	6 5 0	6 4 0	5 5 0	5 5 0	5 0 0
Fahar	4 4 0	4 4 0	3 4 0	5 0 0	5 0 0	5 0 0	5 0 0	5 0 0	5 0 0
Naugpur	7 0 0	7 0 0	7 0 0	5 0 0	5 0 0	5 0 0	(a)	(a)	(a)
Bara (Fahar)	.....	.....	.....	.....	.....	.....	.....	.....	.....
Bara (Fahar)	.....	.....	.....	.....	.....	.....	.....	.....	.....
Bara (Fahar)	.....	.....	.....	.....	.....	.....	.....	.....	.....

Name.	MILK.			MILK.			COTTON (HONGKONG).		
	Present return.	Next preceding return.	Corresponding return of last year.	Present return.	Next preceding return.	Corresponding return of last year.	Present return.	Next preceding return.	Corresponding return of last year.
	29	30	31	32	33	34	35	36	37
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Calcutta	5 0 0	5 0 0	5 0 0	5 0 0	5 0 0	5 0 0	(a)	(a)	(a)
Hardwar	10 0 0 10 0 0 10 0 0	10 0 0 10 0 0 10 0 0	9 0 0 9 0 0 9 0 0	10 0 0 10 0 0 10 0 0	10 0 0 10 0 0 10 0 0	9 0 0 9 0 0 9 0 0	.....	.....	.....
Rangoon	.....	.....	.....	.....	.....	.....	.....	.....	.....
Midnapore	10 0 0 12 0 0	10 0 0 12 0 0	11 0 0 12 0 0	9 0 0	9 0 0	11 0 0	.....	.....	.....
Dhaka	5 5 0	5 5 0	10 0 0	11 0 0	11 4 0	16 0 0 17 0 0	.....	.....	.....
Dacca	10 0 0	10 0 0	10 0 0	10 0 0	10 0 0	10 0 0	.....	.....	.....
Fahar	5 10 0	5 10 0	5 4 0	5 0 0	5 0 0	7 4 0	.....	.....	.....
Naugpur	12 0 0	12 0 0	12 0 0	12 0 0	12 0 0	15 0 0	.....	.....	.....
Bara (Fahar)	.....	.....	.....	.....	.....	.....	.....	.....	.....
Bara (Fahar)	.....	.....	.....	.....	.....	.....	.....	.....	.....
Bara (Fahar)	.....	.....	.....	.....	.....	.....	.....	.....	.....

(a) Not reported.

(a) Not available.

(a) No transaction.

Wholesale price-current of Sundarban, salt, etc., in the undermentioned parts of Bengal for the week ending at August 1935.

Mark.	JOYE.			JHAR.			HINK (COW).		
	Present return.	Next preceding return.	Corresponding return of last year.	Present return.	Next preceding return.	Corresponding return of last year.	Present return.	Next preceding return.	Corresponding return of last year.
	38	39	40	41	42	43	44	45	46
	No. A. P.	No. A. P.	No. A. P.	No. A. P.	No. A. P.	No. A. P.	No. A. P.	No. A. P.	No. A. P.
Calcutta	(1) 15 4 0 (2) 16 4 0 (3) 17 4 0	(1) 15 4 0 (2) 16 4 0 (3) 17 4 0	(1) 15 0 0 (2) 16 0 0 (3) 17 0 0	75 0 0 to 80 0 0	75 0 0 to 78 0 0	80 0 0	(1) 15 0 0 to 16 0 0	12 0 0 to 16 0 0	8 0 0 to 12 0 0
Bardwan	.....	.....	.....	.....	.....	.....	.....	.....	.....
Baniganj	.....	.....	.....	.....	.....	.....	.....	.....	.....
Midnapore	.....	.....	.....	.....	.....	.....	.....	.....	.....
Chittagong	.....	.....	.....	.....	.....	.....	.....	.....	.....
Barisal	.....	.....	.....	.....	.....	.....	.....	.....	.....
Fahra	.....	.....	.....	.....	.....	.....	.....	.....	.....
Hungpur	.....	.....	.....	.....	.....	.....	.....	.....	.....
Sheranagar (Fahra)	15 11 0	15 14 0	(1) 12 0 0 to 12 12 0	.....	.....	.....	.....	.....	.....
Sheranagar (Mymensingh)	(a)	(a)	(1) 11 0 0 to 12 0 0	.....	.....	.....	.....	.....	.....
Maryanagar (Dumki)	(1) 15 0 0 to 17 0 0	(1) 15 0 0 to 17 0 0	(1) 12 0 0 to 13 0 0	.....	.....	.....	.....	.....	.....

(1) Price of lot four.

(2) Price of district four.

(3) Weighted average price.

(a) Not reported.

Mark.	IRON.			SALT.			KEROSENE OIL.		
	Present return.	Next preceding return.	Corresponding return of last year.	Present return.	Next preceding return.	Corresponding return of last year.	Present return.	Next preceding return.	Corresponding return of last year.
	47	48	49	50	51	52	53	54	55
	No. A. P.	No. A. P.	No. A. P.	No. A. P.	No. A. P.	No. A. P.	No. A. P.	No. A. P.	No. A. P.
Calcutta	(a) 7 14 0 to 17 0 0	(a) 7 14 0 to 17 0 0	(a) 10 0 0 to 11 0 0	1 15 0	1 15 0	2 3 0	(a) 6 0 0 to 7 0 0 to 7 4 0	(a) 6 0 0 to 7 0 0 to 7 4 0	(a) 5 14 0 to 7 0 0 to 7 7 0
Bardwan
Baniganj
Midnapore
Chittagong
Dacca
Fahra
Baniganj
Sheranagar (Fahra)
Sheranagar (Mymensingh)
Maryanagar (Dumki)

(a) For 100 lbs.

(b) Price per 40 lbs.

(c) Net weight per cwt.

(d) Not available.

(e) No transaction.

Wholesale prices current of food-grains, oil, and other important articles of Bengal for the second half of August 1925.

District.	MUSTARD OIL.			PURPOON.			DAL (BENGAL).		
	Present rates.	Next preceding return.	Corresponding return of last year.	Present rates.	Next preceding return.	Corresponding return of last year.	Present rates.	Next preceding return.	Corresponding return of last year.
	Rs.	As.	P.	Rs.	As.	P.	Rs.	As.	P.
Calcutta	23 0 0 to 24 0 0	23 0 0 to 24 0 0	25 0 0 to 26 0 0	10 10 0 to 12 0 0	10 0 0 to 12 0 0	11 0 0 to 12 0 0	3 3 3	3 3 3	(a)
Burdwan
Medinipur
Chittagong
Dacca
Fahra
Kanpur
Barisal (Patna)
Barisal (Mymensingh)
Barisal (Dacca)

* Not entered.

(a) Not reported.

J. C. ROY, for Director of Agriculture, Bengal.

Dacca, the 8th September 1925.

Prices-current (retail) of food-grains, salt, etc., in the District of Bengal for the second-half of August 1905.

Division.	Number.	DISTRICTS AND PARTS.	QUANTITY PER RUPEE IN DRAKS OF MOUNTY TOLAS.														
			COMMON RICE.						KAIJAL DAL (Phaseolus radiatus).			AMMAN DAL OR THUN CAJAN PEA (Cajanus indicus).			SALT.		
			Average.			Change.			Present return.	Next preceding return.	Corresponding return of last year.	Present return.	Next preceding return.	Corresponding return of last year.	Present return.	Next preceding return.	Corresponding return of last year.
			Present return.	Next preceding return.	Corresponding return of last year.	Present return.	Next preceding return.	Corresponding return of last year.									
PRESIDENT.		TE-PANGANAR.	S. Ch.	R. Ch.	S. Ch.	R. Ch.	S. Ch.	R. Ch.	S. Ch.	R. Ch.	S. Ch.	S. Ch.	R. Ch.	S. Ch.	S. Ch.	R. Ch.	S. Ch.
	1	Orcha Hat ...	5 8	5 8	5 8	5 8	5 4	5 8	5 12	5 12	5 8	5 8	5 8	5 8	13 0	13 0	13 0
	2	Maqra Hat ...	5 8	5 8	5 8	5 12	5 8	5 8	(a)	(a)	(a)	5 8	5 8	5 8	17 8	17 8	16 0
	3	Calcutta-Bellinghata ...	5 3	5 3	4 11	5 4	5 4	5 11	5 15	5 15	5 15	5 8	5 8	5 8	5 0	5 0	5 0
		NADIA.															
	4	Gouri ...	5 11	5 11	5 4	5 12	5 14	7 2	4 8	4 8	5 4	5 1	5 4	5 4	15 0	15 0	13 0
	5	Raunhat ...	5 4	5 4	5 12	5 8	5 8	5 8	5 4	5 4	5 4	5 4	5 4	5 4	15 0	15 0	15 0
		MURSHIDABAD.															
	6	Behanpore ...	5 8	5 8	5 8	5 8	5 4	5 8	5 4	5 8	5 8	5 8	5 8	7 4	15 0	15 0	13 0
	7	Kandi ...	5 12	5 8	5 8	7 8	5 12	5 12	5 8	5 8	5 12	5 8	5 8	5 8	14 0	14 0	12 0
	8	Jaungipur ...	7 0	7 0	5 12	7 4	7 4	7 0	5 4	5 4	5 8	7 0	7 0	7 0	14 0	14 0	13 0
MURSHIDABAD.		JAMSHEDPUR.															
	9	Sadar ...	5 12	5 12	5 4	5 8	5 8	5 8	4 8	4 8	4 8	5 8	5 8	5 8	14 0	14 0	14 0
	10	Bongson ...	5 2	5 2	5 12	5 2	5 2	7 0	4 8	4 8	4 8	5 10	5 10	5 8	15 0	15 0	15 0
		KHULNA.															
	11	Sadar ...	5 0	5 4	5 8	5 4	5 8	5 8	5 8	5 8	5 8	5 8	5 8	5 8	13 4	13 4	13 0
	12	Bagerhat ...	4 8	5 8	5 8	5 8	5 4	5 4	7 0	7 0	7 0	4 8	4 8	4 8	12 8	12 8	12 8
		BURDWAN.															
	13	Sadar ...	5 12	5 8	5 12	5 4	5 8	5 8	5 4	5 4	5 8	5 12	5 12	5 4	13 0	13 0	12 0
	14	Kalna ...	5 5	5 8	5 8	5 12	5 10	5 5	4 12	5 10	5 11	5 4	5 10	5 11	14 0	14 0	15 0
		BIRBHUM.															
MURSHIDABAD.	15	Suti ...	5 8	5 8	5 12	5 4	5 4	5 8	5 5	5 5	5 8	5 8	5 8	5 8	13 0	13 0	12 0
	16	Rampur Hat ...	5 8	5 8	5 4	5 8	5 8	5 12	5 8	5 8	5 8	5 8	5 8	5 8	15 0	15 0	14 0
		BAHARUKA.															
	17	Sadar ...	5 8	5 4	5 8	5 4	5 8	7 0	5 8	5 8	5 8	5 4	5 8	5 4	14 0	13 0	14 0
	18	Vishnupur ...	5 8	5 4	5 8	5 8	5 12	5 8	5 8	5 4	5 8	5 8	5 8	5 8	14 4	13 0	14 0
		MIDNAPUR.															
	19	Sadar ...	5 14	5 10	5 4	5 4	5 14	5 1	5 8	5 8	5 8	5 8	5 8	5 8	15 0	15 0	13 0
	20	Copai ...	5 4	5 4	7 4	5 8	5 8	7 8	5 8	5 8	5 8	5 8	5 8	5 8	15 0	15 0	13 0
		HOOGLY.															
MURSHIDABAD.	21	Sadar ...	5 2	5 8	5 4	5 8	5 8	5 12	5 4	5 8	5 4	5 4	5 4	5 4	13 0	13 0	12 0
	22	Arumbhat ...	5 8	5 8	5 8	5 8	5 8	5 8	4 0	4 0	4 0	4 4	4 4	4 4	15 0	15 0	13 0
		HOWRAH.															
	23	Sadar ...	5 8	5 8	5 8	5 8	5 8	5 8	5 8	5 8	5 8	5 8	5 8	5 8	15 0	15 0	14 0
	24	Uttar ...	5 8	5 8	5 12	5 4	5 8	5 4	4 14	5 12	5 8	5 8	5 8	5 8	15 0	15 0	14 0
		RAJSHAH.															
	25	Rampur-Bachan ...	5 8	5 4	5 8	5 8	5 8	7 8	5 4	5 8	5 12	5 8	5 8	5 8	15 0	15 0	14 0
	26	Sadar ...	5 4	5 4	5 8	5 4	5 4	5 8	5 8	5 8	4 14	5 8	5 8	5 8	12 0	12 0	12 0
	27	Dumra-Bachan ...	5 11	5 11	5 8	5 8	5 8	5 7	7 12	7 12	7 8	5 8	5 8	5 8	12 0	12 0	10 0
	28	Jalpaiguri-Sadar ...	5 4	5 4	5 8	5 8	5 8	5 8	5 8	5 8	5 8	5 8	5 8	5 8	12 0	12 0	12 0

(a) Row.

(b) Kharab.

(c) Not available.

S.A. - The principal barometer and thermometer set today with each other to serve as a check.

Price-current (weight) of food-grains, etc., in the districts of Bengal for the second half of August 1925.

District.	Number.	DISTRICTS AND MAHOLS.	QUANTITIES AND PRICES IN RUPEES OF SEVENTY TOLAS.														
			COMMON RICE.						KALAI DAL (Phaseolus radiatus).			ANJAN DAL OR THOR DALIAN PRA (Gajanus tigrinus).			SALT.		
			Average.			Cheapest.			Present return.	Next preceding return.	Corresponding return of last year.	Present return.	Next preceding return.	Corresponding return of last year.	Present return.	Next preceding return.	Corresponding return of last year.
			Present return.	Next preceding return.	Corresponding return of last year.	Present return.	Next preceding return.	Corresponding return of last year.									
BARRACKPORE.	29	Bandar	8 4	8 4	4 12	8 12	8 12	8 12	4 0	4 0	4 0	4 0	4 0	4 0	4 0	4 0	4 0
	30	Mishra	4 10	8 0	8 0	8 0	8 0	8 0	8 0	8 0	8 0	8 0	8 0	8 0	8 0	8 0	8 0
		BANPUR.															
	31	Bandar	4 12	4 12	4 8	7 0	7 0	8 0	7 0	7 0	8 0	8 0	8 0	4 8	8 0	8 0	8 0
	32	Kilphamari	8 0	8 0	8 4	(a)	(a)	(a)	4 4	4 4	4 0	4 4	4 4	4 8	12 0	12 0	11 0
	33	Bagra-Hat	8 1	8 2	8 0	8 4	8 4	8 7	4 0	4 0	4 12	8 0	8 0	8 0	12 0	12 0	12 0
		PAURA.															
	34	Bandar	8 8	8 8	8 8	8 12	8 12	8 0	8 8	8 12	8 4	4 8	4 12	4 0	14 8	14 8	10 0
	35	Murjani	8 0	8 0	4 11	8 0	8 0	8 7	8 0	8 0	8 0	4 0	4 0	4 8	12 0	12 0	10 10
		MALDA.															
DACKA.	36	Bandar	8 12	8 12	8 4	8 8	8 8	8 10	8 8	8 8	7 0	8 0	8 0	8 0	14 8	14 8	12 8
	37	Balta-Nawalgaon	8 14	8 4	8 8	8 8	7 8	8 12	8 0	7 0	7 0	8 0	7 0	7 0	15 0	15 0	11 4
		DACKA.															
	38	Bandar	8 1	8 0	8 0	8 10	8 8	8 8	8 0	9 0	7 0	8 4	8 4	8 0	13 0	13 0	11 8
	39	Mirkodim	8 0	8 0	8 4	8 8	8 8	8 8	(a)	(a)	(a)	14 8	14 8	14 8	15 8	15 8	10 8
		MIRSHAPUR.															
	40	Nandrol	4 8	4 8	8 0	8 8	8 8	8 8	8 8	8 12	8 0	8 12	8 12	4 8	13 0	13 0	10 8
	41	Netatona	4 8	4 8	8 8	8 4	8 4	8 1	8 0	8 0	7 4	8 4	8 4	8 11	13 0	13 0	12 8
		PARISHAD.															
	42	Bandar	8 0	8 0	8 4	8 4	8 4	8 12	8 0	8 0	7 0	8 0	8 0	4 8	12 0	12 0	10 8
CHITTAGONG.	43	Harjati	8 0	8 4	8 8	8 8	8 12	8 0	8 0	8 0	8 0	8 0	8 0	8 0	12 0	12 0	13 0
		BARANWARI.															
	44	Bartoli	4 11	4 14	8 8	(b)	(b)	8 8	7 0	7 0	8 0	8 8	8 8	8 4	13 0	13 0	14 8
	45	Etalpur	8 0	8 0	8 0	8 8	8 8	8 8	8 0	8 0	8 0	4 0	4 0	4 0	12 0	12 0	12 0
		TIPPERA.															
	46	Cumila	4 7	4 7	4 8	8 11	8 4	8 10	(a)	(a)	(a)	8 8	8 7	8 4	12 12	12 12	12 8
	47	Chandpur	4 12	8 11	8 2	8 0	8 0	8 10	(a)	(a)	8 12	8 0	8 0	8 10	12 0	12 0	12 4
		MOARWALL.															
	48	Kalshahi Hat	8 0	8 0	8 8	8 4	8 4	8 8	7 0	7 0	7 0	8 0	8 0	8 0	12 8	12 8	12 0
	49	Pani Hat	8 0	8 0	8 8	8 8	8 8	8 4	7 8	7 8	7 8	(a)	(a)	(a)	14 8	14 8	12 8
CHITTAGONG.		CHITTAGONG.															
	50	Bartoli	8 12	8 0	8 8	8 0	8 4	7 4	4 0	4 4	8 8	8 8	8 8	8 8	12 12	12 12	12 8
	51	God's Head	8 0	8 0	8 0	(a)	(a)	(a)	4 0	4 0	4 0	4 0	4 0	4 0	12 0	12 0	12 0
	52	Chittagong Hill Tracts-Kandamali	8 0	8 8	(a)	(a)	(a)	8 8	4 8	4 8	4 8	4 8	4 8	4 8	12 8	12 8	12 8

(a) Not available.

(b) None.

(c) No sale.

(d) Not reported.

(e) Katcha.

J.C.—The prices of kharif and rabi crops will tally with each other in north district.

DACCA, the 24th September 1925.

J. C. RAY, for Director of Agriculture, Bengal.

STATISTICAL RETURN OF THE STAMP DEPARTMENT IN BENGAL, 1924-25.

No. 1088S.R.—The 11th September 1925.—The following statement showing the receipts and charges of the Stamp Department for the year 1924-25 is published for general information:—

Statement I.—Abstract of receipts and charges for the year ending 31st March 1925.

	Receipts.	Charges.			Total.	Net receipts.	Cost of stamps and plain paper supplied from central depot.
		Discount and establishment for sale of stamps.	Refunds.	Other charges.			
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Under the Stamp Act.	1,26,65,144(a)	2,71,096	1,67,879	32,382	4,61,657	1,24,03,687(a)	1,73,000
Under the Court-fee Act.	2,16,14,141	1,73,694	2,42,249	16,184	4,32,167	2,11,81,974	2,81,633
Total	3,44,79,285(a)	4,44,790	4,10,128	48,566	8,93,624	2,35,85,661(b)	4,54,633
Total for 1923-24	3,24,43,623(b)	4,32,672	3,92,474	38,121	8,63,267	2,15,80,356	4,58,008

(a) Includes Rs. 4,88,000 paid to the Calcutta Improvement Trust on account of excess stamp duty realised from several districts and Rs. 11,30,000 being the provincial share of sale-proceeds of unified stamps credited to non-postal revenue and also Rs. 41,000 paid to the Government of Assam during the year under report out of the annual assignment of Rs. 45,000 on account of stamp duty paid in Bengal in respect of non-judicial stamps on documents relating to property or transactions in Assam. [The figures in column (7) do not include the amount of annual assignment paid to the Government of Assam.]

(b) Includes Rs. 3,77,174 paid to the Calcutta Improvement Trust on account of excess stamp duty realised from several districts and Rs. 4,90,000 being the provincial share of sale-proceeds of unified stamps credited to non-postal revenue and also Rs. 45,000 paid to the Government of Assam as an annual assignment on account of stamp duty paid in Bengal in respect of non-judicial stamps on documents relating to property or transactions in Assam.

Statement of receipts on account of duty realised on Probates, Letters of Administration, Certificates and Extended certificates under Act XXVII of 1860 and Act VII of 1889 during the year ending 31st March 1925.

	Rs.
Probates, etc. granted by the High Court during the year ending 31st March 1925	11,24,258
Probates etc., granted by the subordinate courts during the year ending 31st March 1925.	2,69,304
	13,93,562(c)

(c) The amount is included in the receipt under the head "Court-fee stamps" in column 2 of statement I.

J. A. WOODHEAD,
Secretary to the Government of Bengal.

Total Statistics for the month of May 1925 of the

District	No.	Town.	POPULATION UNDER REGISTRATION ACCORDING TO CENSUS OF 1921.			BIRTHS REGISTERED.		DEATHS							
			Male.	Female.	Total.	Number registered (including still-born).	Still-born number registered.	Cholera.	Small-pox.	Typhoid.	Malaria.	Scarlet fever.	Measles.	Relapsing fever.	Kala-azar.
Burdwan	1	Burdwan	19,503	18,023	37,526	18	...	2	2	...	0	...	...	...	2
	2	Tampan	3,040	3,090	6,130	21	1	1	10	...	...	...	...	...	...
	3	Amard	19,464	11,004	30,468	17	...	1	...	...	...	...	...	...	...
Bansberia	4	Bansberia	12,023	11,000	23,023	29	...	...	24	...	...	...	...	...	1
	5	Vishnupur	9,720	9,442	19,162	24	...	...	1	...	...	...	...	...	...
	6	Boumabhi	5,100	5,104	10,204	23	...	...	...	...	2	...	...	...	...
Meinapur	7	Meinapur	10,724	10,241	20,965	10	...	1	...	...	...	...	...	...	...
	8	Ghatol	9,850	5,112	14,962	29	...	...	...	...	...	...	...	...	...
	9	Hengaly Chandra	16,720	12,216	28,936	22	...	2	1	...	...	...	...	...	2
Hengaly	10	Bengampur	20,310	17,907	38,217	44	...	3	7	...	1	1	...	...	3
	11	Hishor-Kumargur	15,030	8,222	23,252	12	...	1	2	...	...	...	...	...	...
	12	Baldi-Baldi	9,174	7,291	16,465	22	...	1	6	...	2	...	...	...	1
	13	Indrapur	14,142	7,390	21,532	24	...	1	5	...	...	...	...	...	...
Burdwan	14	Chauspura	17,100	7,400	24,500	24	...	1	1	...	...	...	...	...	...
	15	Hemra	125,622	66,429	192,051	202	12	10	121	...	19	9	...	...	9
	16	Bali	10,000	2,500	12,500	41	...	1	2	...	...	...	...	...	...
	17	South Suburban	10,000	14,000	24,000	23	2	2	2	...	4	...	...	...	1
Burdwan	18	Lollypur	11,320	8,111	19,431	24	...	...	...	...	2	...	...	...	...
	19	Ridge-Ridge	17,002	7,400	24,402	12	...	1	...	...	1	...	...	...	...
	20	Barnagar	10,000	17,000	27,000	41	2	9	2	...	1	1	...	...	1
	21	Kamabali	10,000	8,000	18,000	16	...	2	...	...	1	...	...	...	...
Burdwan	22	Bajpur	5,100	2,600	7,700	7	...	...	...	...	8	1	...	...	...
	23	South Boro-Pur	9,720	2,200	11,920	22	...	...	4	...	3	1	...	...	...
	24	Barnagar	11,072	7,500	18,572	7	...	...	6	...	5	...	...	...	...
	25	Pantball	6,100	6,012	12,112	21	...	...	1	...	...	...	...	...	...
Burdwan	26	North Barnagar	9,400	6,900	16,300	20	...	2	...	...	...	...	...	...	...
	27	Tilagarh	20,612	10,010	30,622	57	...	4	0	...	...	...	...	...	...
	28	Guruba	9,072	6,010	15,082	12	...	1	...	...	6	...	...	...	...
	29	Nalhati	10,000	7,500	17,500	22	...	...	5	...	...	...	...	...	...
Burdwan	30	Kamabapara	7,100	2,100	9,200	14	...	...	3	...	4	...	...	...	...
	31	Balapur	20,724	10,000	30,724	22	...	22	14	...	6	1	...	...	...
	32	Bachar	10,100	8,100	18,200	64	2	1	2	...	1	1	...	...	2
	33	Bachar	7,000	6,000	13,000	7	...	...	...	...	...	...	...	...	...
Burdwan	34	Chakraborty	224,140	220,010	444,150	227	24	210	221	...	104	62	3	...	66
	35	Krishnagar	11,172	10,000	21,172	22	...	...	...	...	1	...	1	...	...
	36	Mahabali	7,200	6,200	13,400	22	2	...	1	...	5	...	...	...	...
Burdwan	37	Shantipur	11,200	12,400	23,600	72	...	20	4	...	...	...	...	...	...

Persons with a population of 25,000 and over in range.

ABSTRACT.

Other towns.	Dumrao.	Bharat.	Indore.	Pawana.	Pilib.	Other towns in range.	Total in range.	Other towns in range.	Total of all towns.			Total of corresponding month of previous year.			No.	Towns.
									Male.	Female.	Total.	Male.	Female.	Total.		
1	1	2	1	2	1	1	1	1	27	3	30	12	11	23	1	Bardham.
2	1	1	1	2	1	1	1	1	19	10	29	12	6	18	2	Baniganj.
3	1	1	1	4	1	1	1	1	6	7	13	11	11	22	3	Anand.
4	1	2	1	2	2	2	1	1	20	20	40	24	12	36	4	Banars.
5	1	2	1	1	1	1	1	1	11	16	27	24	21	45	5	Vishnupur.
6	1	1	1	2	1	1	1	1	7	6	13	11	6	17	6	Sonamohid.
7	1	1	1	12	1	1	1	1	11	16	27	20	27	47	7	Mithapur.
8	1	1	1	1	1	1	1	1	3	10	13	3	7	10	8	Uthai.
9	1	1	1	2	1	1	1	1	23	15	38	23	17	40	9	Hughly-Uthman.
10	1	2	1	2	1	1	1	1	20	11	31	10	10	20	10	Serampur.
11	1	1	1	2	1	1	1	1	14	7	21	11	6	17	11	Rohra-Koushar.
12	1	1	1	1	1	1	1	1	11	9	20	16	13	29	12	Baldynah.
13	1	1	1	1	1	1	1	1	11	13	24	8	6	14	13	Bhadrasar.
14	1	1	1	1	1	1	1	1	9	4	13	6	3	9	14	Champd.
15	1	1	1	1	1	1	1	1	214	276	490	280	223	503	15	Howrah.
16	1	1	1	1	1	1	1	1	31	9	40	16	12	28	16	Bally.
17	1	1	1	1	1	1	1	1	21	24	45	16	14	30	17	South Suburban.
18	1	1	1	1	1	1	1	1	10	4	14	12	7	19	18	Tollygunj.
19	1	1	1	1	1	1	1	1	10	6	16	12	9	21	19	Budge-Budge.
20	1	1	1	1	1	1	1	1	24	20	44	23	23	46	20	Serampur.
21	1	1	1	1	1	1	1	1	4	3	7	15	7	22	21	Kamarkhat.
22	1	1	1	1	1	1	1	1	6	3	9	3	4	7	22	Majur.
23	1	1	1	1	1	1	1	1	9	9	18	20	9	29	23	South Dum-Dum.
24	1	1	1	1	1	1	1	1	11	7	18	10	8	18	24	Barrackpur.
25	1	1	1	1	1	1	1	1	3	3	6	6	6	12	25	Palihall.
26	1	1	1	1	1	1	1	1	10	7	17	6	9	15	26	North Barrackpur.
27	1	1	1	1	1	1	1	1	26	25	51	51	47	98	27	Titagarh.
28	1	1	1	1	1	1	1	1	3	6	9	6	3	9	28	Gurulia.
29	1	1	1	1	1	1	1	1	10	4	14	6	10	16	29	Kalkati.
30	1	1	1	1	1	1	1	1	7	2	9	3	3	6	30	Kanchrapur.
31	1	1	1	1	1	1	1	1	22	22	44	44	20	64	31	Bhatpur.
32	1	1	1	1	1	1	1	1	11	17	28	6	8	14	32	Buighat.
33	1	1	1	1	1	1	1	1	7	6	13	3	5	8	33	Badaria.
34	1	1	1	1	1	1	1	1	1,400	1,176	2,576	1,447	1,124	2,571	34	Cooch.
35	1	1	1	1	1	1	1	1	11	4	15	10	10	20	35	Krishnapur.
36	1	1	1	1	1	1	1	1	8	4	12	6	8	14	36	Nandwaj.
37	1	1	1	1	1	1	1	1	20	19	39	15	17	32	37	Antpur.

Total Statistics for the month of May 1925 of the

District.	No.	Towns.	POPULATION UNDER SANITARY TAKES ACCORDING TO CENSUS OF 1921.			DEATHS REGISTERED.										DEATHS	
			Male.	Female.	Total.	Deaths registered (including notified).	Still-born number registered.	Cholera.	Smallpox.	Typhoid.	Malaria.	Scarlet fever.	Dysentery.	Enteric fever.	Other.	Notified.	Notified.
Mysore.	35	Barkur	16,719	11,061	27,780	23	—	—	—	—	—	—	—	—	—	—	—
	36	Murshidabad	5,001	5,946	10,947	20	—	—	—	—	—	—	—	—	—	—	—
	37	Asimganj	5,076	5,366	10,442	21	1	1	—	—	—	—	—	—	—	—	—
	38	Kandi	5,903	5,984	11,887	20	2	—	—	—	—	—	—	—	—	—	—
Jammu	39	Jammu	5,167	5,673	10,840	21	—	1	—	—	—	—	—	—	—	—	—
	40	Jammu	5,610	5,729	11,339	16	—	1	1	—	—	—	—	—	—	—	—
Kashmir	41	Kashmir	10,325	8,814	19,139	10	—	—	—	—	—	—	—	—	—	—	—
	42	Kashmir	5,545	4,761	10,306	7	—	—	—	—	—	—	—	—	—	—	—
Muzaffargarh	43	Muzaffargarh	12,831	10,787	23,618	27	—	—	—	—	—	—	—	—	—	—	—
	44	Muzaffargarh	10,873	7,665	18,538	25	—	—	—	—	—	—	—	—	—	—	—
Jalpaiguri	45	Jalpaiguri	9,965	6,535	16,500	6	—	—	—	—	—	—	—	—	—	—	—
	46	Jalpaiguri	19,977	9,361	29,338	20	1	—	—	—	—	—	—	—	—	—	—
Banga	47	Banga	12,039	7,017	19,056	23	—	—	—	—	—	—	—	—	—	—	—
	48	Banga	7,337	5,045	12,382	3	—	—	—	—	—	—	—	—	—	—	—
Fahra	49	Fahra	10,339	6,391	16,730	23	—	—	—	—	—	—	—	—	—	—	—
	50	Fahra	13,734	11,743	25,477	43	—	—	—	—	—	—	—	—	—	—	—
Malda	51	Malda	7,069	6,165	13,234	23	—	—	—	—	—	—	—	—	—	—	—
	52	Malda	6,561	4,359	10,920	22	—	—	—	—	—	—	—	—	—	—	—
Dacca	53	Dacca	47,835	33,117	80,952	262	13	1	—	—	—	—	—	—	—	—	—
	54	Dacca	19,447	11,160	30,607	57	1	—	—	—	—	—	—	—	—	—	—
Mymensingh	55	Mymensingh	14,697	8,890	23,587	34	—	—	—	—	—	—	—	—	—	—	—
	56	Mymensingh	19,964	10,647	30,611	45	—	—	—	—	—	—	—	—	—	—	—
Kishoreganj	57	Kishoreganj	6,769	4,042	10,811	24	—	—	—	—	—	—	—	—	—	—	—
	58	Kishoreganj	10,400	6,016	16,416	19	—	—	—	—	—	—	—	—	—	—	—
Najibpur	59	Najibpur	5,645	5,423	11,068	7	—	—	—	—	—	—	—	—	—	—	—
	60	Najibpur	7,643	6,763	14,406	13	—	—	—	—	—	—	—	—	—	—	—
Faridpur	61	Faridpur	6,779	6,781	13,560	17	—	—	—	—	—	—	—	—	—	—	—
	62	Faridpur	16,306	10,968	27,274	29	—	—	—	—	—	—	—	—	—	—	—
Gazipur	63	Gazipur	17,564	9,187	26,751	24	—	—	—	—	—	—	—	—	—	—	—
	64	Gazipur	7,615	4,396	12,011	21	—	—	—	—	—	—	—	—	—	—	—
Chittagong	65	Chittagong	54,111	11,013	65,124	47	—	—	—	—	—	—	—	—	—	—	—
	66	Chittagong	15,333	10,361	25,694	20	—	—	—	—	—	—	—	—	—	—	—
Tippera	67	Tippera	12,361	12,047	24,408	48	—	—	—	—	—	—	—	—	—	—	—
	68	Tippera	1,636	4,462	6,098	3	—	—	—	—	—	—	—	—	—	—	—
Total of month			1,746,114	1,048,273	2,794,387	2,840	144	452	616	—	244	40	16	1	—	105	—
Total of corresponding for month of previous year.			—	—	—	2,730	133	240	50	—	373	30	27	5	—	109	—
Increase or decrease			—	—	—	+110	+111	+72	+116	—	—	—	—	—	—	+96	—

REMARKS.—1. The above table is compiled from returns collected by the municipalities and submitted to the Director of Public Health by the Civil Surgeons, and is a full statement of all deaths registered.

2. The vital statistics of municipalities with a population of less than 10,000 have been excluded from this statement and incorporated in the table of small towns.

3. The birth and death rates per mile per annum have been omitted from this statement according to the Government of India.

CALCUTTA, the 21st September 1925.

Vital Statistics for the month of May 1925 of the

Division.	No.	District.	POPULATION UNDER REGISTRATION ACCORDING TO CENSUS OF 1921.			MAY 1925.		DEATHS.							
			Male.	Female.	Total.	Number registered (including still-borns).	Still-borns registered.	Cholera.	Dysentery.	Fevers.	Malaria.	Infantile.	Other.	Unspecified.	Total.
Burdwan	1	Burdwan	400,200	372,000	1,308,375	5,732	7	80	154	...	917	6	6	...	2
	2	Birbhum	472,000	424,500	947,070	3,979	91	7	24	...	129	...	...	...	...
	3	Banshee	600,000	523,500	964,927	3,314	...	18	70	...	123	6	3	2	...
	4	Midnapur	1,210,972	1,200,439	2,499,956	5,633	1.6	178	104	...	1,326	6	1	4	3
	5	Hooghly	600,401	492,003	900,846	2,113	3	61	102	...	916	...	1	...	27
	6	Howrah	301,210	267,478	778,983	1,507	...	69	141	...	206	100	...	103	31
Presidency	7	24 Parganas	1,003,200	909,100	2,001,291	5,110	37	91	192	...	989	6	6	87	190
	8	Nadia	751,320	600,802	1,454,987	5,335	90	13	49	...	1,346	...	6	5	6
	9	Murshidabad	301,276	260,742	1,101,418	4,050	190	1	12	...	1,210	27	2	...	...
	10	Jessore	607,109	524,000	1,719,000	4,070	115	273	34	...	2,250	...	1	...	24
	11	Khulna	741,741	604,900	1,456,646	2,925	75	19	10	...	1,037	1	...	...	26
Rajshahi	12	Rajshahi	755,000	711,600	1,466,607	3,670	177	123	7	...	2,608	...	...	...	23
	13	Dinajpur	600,007	501,901	1,047,328	5,403	161	12	60	...	2,306	1	1	2	1
	14	Jalpaiguri	600,433	527,317	951,749	2,104	184	20	...	...	1,813	...	...	...	...
	15	Darjeeling	190,217	124,273	900,690	726	24	15	5	...	262	1	...	...	5
	16	Naugpur	1,304,701	1,193,007	2,496,778	5,904	371	109	50	...	3,594	...	991	...	10
	17	Bogra	601,670	500,914	1,030,204	2,200	118	90	60	...	1,008	3	...	27	63
	18	Faruq	600,000	500,000	1,344,000	2,703	144	280	37	...	1,047	...	...	5	1
	19	Malda	670,079	600,100	900,079	2,642	37	4	23	...	1,004	...	1	20	4
Dacca	20	Dacca	1,000,000	1,000,000	2,075,910	4,664	177	130	120	...	160	220	1	...	54
	21	Mymensingh	2,007,431	2,270,000	4,720,120	9,100	206	510	60	...	1,173	...	...	...	203
	22	Barisal	1,100,001	1,000,001	2,910,000	3,772	116	21	34	...	2,336	7	...	7	4
	23	Bahar	1,010,000	1,000,100	2,000,171	5,004	101	60	13	...	244	2	21	...	54
Chittagong	24	Chittagong	750,700	621,007	1,371,707	3,800	273	277	21	...	306	93	1	53	60
	25	Cox's Bazar	750,700	621,007	1,371,707	3,800	161	118	26	...	327	...	...	...	34
	26	Tippera	1,007,000	1,011,000	2,018,007	4,597	231	275	27	...	600	1	0	24	247
	27	Chittagong Trunk Hill	...	...	...	...	...	...	...	...	...	...	...	...	Not under
Total of month for Bengal			22,500,000	21,410,000	43,910,000	100,515	2,364	2,400	1,000	...	20,727	600	201	247	1,120
Total of corresponding month of previous year.			...	...	...	87,700	3,120	4,600	700	1	24,300	500	64	100	825
Increase or decrease			...	...	...	+12,285	-240	-1,600	+300	-1	-3,573	-100	+137	+147	+295

REMARKS.—1. The above table is compiled from returns obtained by the health officers and submitted to the Director of Public Health by the Civil Surgeons.
2. The vital statistics of municipalities with a population of less than 10,000 have been included in this statement with those of the respective Districts.
3. Divisional mean and the birth and death rates per mille per annum have been omitted from this statement according to the Government of

CALCUTTA, the 9th September 1925.

Districts excluding towns with a population of 10,000 and over in Bengal.

UNREGISTERED.

Other towns.	Dumraon.	Dumraon.	Dumraon.	Dumraon.	Dumraon.	Dumraon.	Dumraon.	Dumraon.	Dumraon.	Total of all causes.			Total of corresponding month of previous year.			No.	District.	
										Male.	Female.	Total.	Male.	Female.	Total.			
634	30	7	4	20	11	8	40	1	453	1,508	1,187	2,695	1,331	1,031	2,362	1	Burdwan.	
280	0	0	...	1	1	4	30	1	363	788	964	1,423	1,118	1,000	2,171	2	Birbham.	
1,370	15	46	6	20	22	11	22	1	510	1,032	879	1,964	1,084	825	2,009	3	Bansura.	
1,440	40	30	9	60	18	36	93	6	507	1,082	1,361	2,443	1,330	1,073	2,403	4	Midnapur.	
221	34	44	...	16	16	12	34	...	247	945	823	1,776	818	738	1,573	5	Hooghly.	
303	41	92	41	22	19	16	69	18	113	673	606	1,281	605	473	1,077	6	Howrah.	
1,536	16	16	19	73	14	26	141	14	466	1,949	1,492	3,472	1,955	1,550	3,505	7	St-Pargana.	
902	56	3	...	12	9	6	95	8	629	1,780	1,456	3,236	1,902	1,491	3,473	8	Nadia.	
100	7	1	...	9	...	...	60	7	442	1,045	945	1,993	1,383	1,239	2,622	9	Murshidabad.
312	4	3	...	...	11	2	96	...	256	1,802	1,669	3,271	1,991	1,470	3,461	10	Jessore.
234	3	7	...	1	6	1	35	13	412	1,093	901	1,974	1,113	866	1,979	11	Kulna.	
22	6	...	...	4	1	3	66	3	282	1,702	1,329	3,031	1,864	1,463	3,329	12	Banshal.
1,223	0	2	...	3	4	1	59	6	231	2,301	1,748	3,949	2,220	1,810	4,038	13	Dinajpur.	
224	36	41	16	40	16	1	12	...	106	1,317	1,021	2,338	1,181	954	2,099	14	Jalpaiguri.	
278	29	39	3	14	12	1	6	...	103	513	344	897	499	465	964	15	Darjeeling.	
1,313	10	1	...	5	...	1	40	12	81	3,192	2,420	5,612	2,604	2,061	4,665	16	Rangpur.	
420	13	3	...	...	1	13	52	6	120	1,117	535	1,922	1,269	800	2,062	17	Bogra.
261	16	4	...	3	9	4	43	...	141	1,469	1,121	2,600	1,443	1,363	2,806	18	Pabna.	
44	...	1	...	3	6	3	22	1	191	779	620	1,315	1,065	794	1,859	19	Mald.	
2,414	104	26	2	2	15	13	94	2	527	2,322	1,725	3,958	2,401	1,892	4,293	20	Dacca.	
3,274	47	26	7	6	13	13	142	11	602	3,814	2,386	7,100	4,437	3,685	8,098	21	Mymensingh.	
199	37	6	...	3	...	2	87	...	454	1,526	1,278	2,401	1,824	1,297	3,321	22	Faridpur.	
2,476	44	14	...	1	8	6	194	6	499	2,317	1,765	4,042	2,341	1,870	3,911	23	Bhacchanj.	
1,364	15	3	1	1	...	1	90	3	134	1,452	1,177	2,629	1,480	1,253	2,813	24	Chittagong.	
1,099	15	4	...	...	...	1	95	9	352	1,367	1,172	2,560	1,569	1,251	2,940	25	Moulvib.
1,637	76	43	33	6	29	17	45	16	454	2,061	1,626	3,689	1,942	1,582	3,524	26	Tippah.	
registration.	27	Chittagong Hill Tracts.
20,708	721	409	140	334	227	194	1,420	147	9,373	41,700	34,110	75,810	...	...	...	...	...
20,800	794	421	92	427	179	261	1,600	93	9,447	44,099	36,175	80,277	...	...	...	...	...
+ 1,004	- 98	+ 27	+ 38	- 72	+ 46	- 67	+ 80	+ 54	- 73	- 2,399	- 2,068	- 4,467	...	...	...	...	...

Taken as a whole, the statement possesses a relative value, although the figures for individual districts probably only approximate to the actual. Districts are ordered in descending order of Bengal Municipal Department, letter No. 11440a, dated the 5th February 1919. India, Statistical Department, letter No. 10, dated the 26th March 1919.

A. D. STEWART, MAJOR, I.M.S., Director of Public Health, Bengal (off.).

Wind statistics of Town with a population of 20,000 and over of the Bengal Presidency for the week ending Saturday, the 13th September 1925.

District.	No.	Town.	POPULATION UNDER REGISTRATION according to CENSUS OF 1911.			Deaths registered for epidemic diseases.		DEATHS BY DISEASE.														Total of cases reported week ending Saturday, the 13th September 1925.																																																																																																																																																																																																																																																																																																																																	
			Male.	Female.	Total.	Native, male (excl. military).	Native, female (excl. military).	Typhoid.	Typhus.	Dysentery.	Diarrhoea.	Enteric fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	Typhoid fever.	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A. D. STEWART, MAJOR, I.M.S., Director of Public Health, Bengal (off.).

CALCUTTA, the 11th September 1925.

Statement of weekly gauge-readings on the river Ganges at Faridpur for the week ending the 29th August 1925.

Month and date.	Hour.	Height of surface above zero.	Height of surface above mean sea-level.	Height of surface above mean sea-level on the same date of last year.	Remarks.
1925.					
23rd August ...	7 A.M.	25.9	25.9	26.7	Zero is placed at mean sea-level.
24th	7 "	26.0	26.0	26.7	
25th	7 "	26.1	26.1	26.6	The bench-mark for this gauge is marked on a pucca base between Passenger ghât and Chaudpur ghât.
26th	7 "	26.0	26.0	26.5	
27th	7 "	26.0	26.0	26.5	
28th	7 "	25.9	25.9	26.4	
29th	7 "	25.9	25.9	26.4	

Highest recorded flood 29.7 on 23rd and 24th August 1924.
 Previous highest recorded flood 25.75 on 28th August 1906 and 25.66 on the 11th and 17th and 31st August 1889 and on the 1st to 3rd September 1888.
 Lowest recorded water level 5.8 on the 17th February 1924.
 Previous recorded low water level 1.00 on the 8th February 1914.

N.B.—The gauge-readings commenced on 3rd October 1909.

R. K. GHOSE, for Subdivisional Officer,
 P. W. D., Faridpur.

FARIDPUR, the 31st August 1925.

Statement of weekly gauge-readings on the river Ganges at Rampur Boalia for the week ending the 5th September 1925.

Date.	Hour.	Height of surface above zero of gauge.	Height of surface above P. W. D. datum.	Height of surface above P. W. D. datum on the same date last year.	Remarks.
1925.					
30th August ...	7 A.M.	57.95	57.95	57.75	P. W. D. datum 6.25 feet above Kidderpur old dock sill
31st	7	57.65	57.65	57.50	
1st September ...	7	57.60	57.60	57.35	B. M. on Rajshahi College step 64.93.
2nd	7	57.70	57.70	57.10	
3rd	7	57.99	57.90	56.95	Value of zero of gauge = 0.00 P. W. D.
4th	7	58.00	58.00	57.00	
5th	7	58.35	58.35	57.45	

		Old value.	According to P. W. D. datum.
The previous year's	Highest water-level ...	on 18th August 1924	... 61.85
Do.	Lowest	on 15th April 1925	... 55.80
Record	Highest	69.25 on 26th August 1879	... 64.44
Do.	Do.	69.08 on 21st September 1886	... 61.27
Do.	Do.	68.80 on 25th August 1906	... 63.47
Do.	Do.	68.21 on 26th August 1890	... 62.40
Do.	Lowest	37.63 on 25th April 1884	... 32.92
Do.	Do.	38.13 on 14th and 15th April 1888	... 33.82
Do.	Do.	39.02 on 21st and 22nd April 1897	... 34.21
Do.	Do.	39.28 on 6th and 7th May 1908	... 34.47
Do.	Do.	on 9th May 1922	... 34.70

N.B.—The gauge-readings commenced from the 1st August 1927.

J. F. RUSSELL, Subdivisional Officer,
 I. D., Rajshahi.

RAMPUR BOALIA, the 5th September 1925.

*Statement showing the gauge-readings of Dacca Water-works on the river
Suriganga for the week ending 29th August 1925.*

Date.	AT HIGHEST WATER.		AT LOWEST WATER.		Remarks.	
	Time.	Readings.	Time.	Readings.		
1925.					7 A.M.	5 P.M.
23rd August	..				67.6	67.65
24th	..				67.7	67.75
25th	..				67.75	67.8
26th	..				67.82	67.8
27th	..				67.8	67.8
28th	..				67.8	67.8
29th	..				67.8	67.8

Notable high and low water-levels of previous years.

High			Low.		
7th August	1906	... 70.5	23rd February	1907	... 51.06
5th September	1906	... 66.86	13th "	1908	... 51.06
10th August	1910	... 69.96	12th March	1912	... 51.06
1st "	1911	... 64.46	6th "	1914	... 50.60
18th "	1912	... 67.16	22nd February	1915	... 50.30
31st "	1915	... 69.7	15th "	1916	... 50.60
18th "	1916	... 68.1	3rd March	1917	... 51.0
12th "	1917	... 67.1	21st February	1918	... 51.40
19th "	1918	... 69.12	26th "	1919	... 50.4
2nd "	1919	... 66.8	14th "	1920	... 50.9
5th September	1920	... 66.9	19th "	1921	... 50.9
29th July	1921	... 68.4	8th March	1922	... 51.06
10th August	1922	... 68.06	14th "	1923	... 50.8
31st July	1923	... 66.15	16th February	1924	... 50.50
29th August	1924	... 68.82			

N.B.—Zero of the gauge at Dacca water-works = - 1951 with reference to P. W. D. datum

H. C. VIEIRA, *Executive Engineer,*
Khulna Division.

CALCUTTA, the 5th September 1925.

Statement showing the daily gauge readings of certain rivers at the stations named below for the week ending Thursday, the 10th September 1925.

Name of river and place where readings are taken.	Date.	Hour.	Reading in gauge.	Value of zero referred to P. W. D. datum.	Compared with previous day's height.		Height above P. W. D. datum on same date in—		Remarks.
					Rise.	Fall.	1924.	1925.	
Ganges	Mouglhyr ... 4th Sept. 1925	6 A.M.	...	123.70	1.20'	...	122.50'	126.50'	
	Rajmahal ... 4th "	6 "	...	82.40	0.10	...	81.35'	84.60'	
	Goslundb ... 4th "	8 hours	...	25.40	Steady	...	27.209	27.896'	
Brahmaputra	Gauhati ... 4th "	8 A.M.	...	23.80	...	0.10'	158.28'	153.08'	
	Serajganj ... 4th "	12 hours	...	40.80	Steady	...	40.809	37.009	
	Dibrugarh ... 4th "	8 A.M.	...	20.10	...	0.60'	333.26'	333.28'	
Meghna	Bhairab Bazar 4th "	6 hours	...	12.50	0.08	...	22.03'	20.03'	
	Chandpur ... 4th "	6 "	...	13.25	0.08	...	15.19'	12.44'	
	Fenchuganj ... 4th "	7 "	...	30.85	Steady	...	31.159'	31.109'	
Dhaleswari	Sabhar ... 4th "	7 A.M.	...	30.70	Steady	...	21.38'	16.88'	
Bhagirathi	Swarupganj ... 4th "	6 "	...	23.27	0.35'	...	23.689'	28.089'	
Damodar	Kalipur ... 4th "	6 "	...	6.42	...	0.65'	92.66'	102.58'	
Lakshya	Narayanganj ... 4th "	6 "	...	24.58	0.04'	...	19.24'	15.70'	
Madaripur Bil Route	Takerkat ... 4th "	6 "	...	15.00	Steady	...	15.051'	12.301'	

Statement showing the daily gauge readings of certain rivers at the stations named below for the week ending Thursday, the 10th September 1925.

Name of river and place where readings are taken.	Date.	Hour.	Reading on gauge.	Value of zero referred to above P. W. D. datum.	Height above P. W. D. datum on same date as—	Compared with previous days' height.		Remarks.
						Rise.	Fall.	
Ganges	Monghyr ... 5th Sept. 1925	6 A.M.	124.00	0.00	124.00	0.30	...	123.30 136.70
	Hajmahal ... 5th "	6 "	83.45	0.00	83.45	0.55	...	82.30 84.90
	Goalundo ... 5th "	8 hours	25.00	1.40	27.90	Steady	...	27.20 27.96
Brahmaputra	Gauhati ... 5th "	8 A.M.	23.70	136.35	160.05	...	0.10	158.78 154.28
	Serajganj ... 5th "	12 hours	40.80	1.50	42.30	Steady	...	40.90 37.50
	Dibrugarh ... 5th "	8 A.M.	20.50	314.06	334.56	0.40	...	333.16 330.58
Meghna	Bhairab Bazar ... 5th "	6 hours	19.58	1.61	21.19	0.08	...	22.63 20.19
	Chandpur ... 5th "	7 "	13.33	1.61	14.94	0.08	...	15.03 12.28
	Fenchuganj ... 5th "	7 "	30.80	1.50	32.30	...	0.05	31.05 31.35
Dhaleswari	Sabbar ... 5th "	7 A.M.	30.60	-8.62	21.98	...	0.10	21.48 16.88
	Kwarupganj ... 5th "	6 "	23.61	1.50	25.11	0.37	...	23.08 27.86
	Edilpur ... 5th "	6 "	7.50	92.58	100.08	0.58	...	99.08 101.16
Lakhsya	Narayanganj ... 5th "	6 "	27.00	-5.52	22.01	3.02	...	19.16 15.66
	Takerhat ... 5th "	6 "	15.65	-0.59	14.45	0.05	...	15.10 12.20

Statement showing the daily gauge readings of certain rivers at the stations named below for the week ending Thursday, the 10th September 1923.

Name of river and place where readings are taken.	Date.	Hr.	Reading in gauge.	Falling to P. M. datum.	Height above P. M. datum.	Compared with previous day's height.			Height above P. M. datum on same date as—			Remarks.
						Rise.	Fall.	...	1923.	1924.	1925.	
Ganges	Moughyr ...	7th Sept. 1923	6 A.M.	124.70	...	124.70	...	0.20'	125.10'	123.00'		
	Rajmahal ...	7th " "	6 " "	84.25	...	84.25	...	0.33'	83.90'	84.80'		
	Goalundo ...	7th " "	8 hours	26.10	...	27.50	...	0.10'	27.10'	28.196'		
Brahmaputra	Ganhati ...	7th " "	8 A.M.	23.80	...	130.758	...	0.10'	158.58'	156.48'		
	Seraiganj ...	7th " "	12 hours	40.50	...	42.000	...	0.10'	40.609'	39.009'		
	Dibrugarh ...	7th " "	8 A.M.	20.30	...	334.20	...	0.50'	333.36'	330.45'		
Meghna	Bhairab Bazar ...	7th " "	6 hours	19.83	...	21.44	...	0.08'	21.86'	20.44'		
	Chandpur ...	7th " "	9 " "	13.75	...	15.36	...	0.25'	13.86'	12.19'		
	Fenchuganj ...	7th " "	7 " "	30.85	...	32.350	...	0.05'	30.759'	31.709'		
Dhaleswari	Sabhar ...	7th " "	7 A.M.	30.60	...	21.98	...	0.10'	20.88'	24.08'		
	Swarupganj ...	7th " "	6 " "	24.06	...	25.562	...	0.17'	23.429'	27.439'		
	Ellilpur ...	7th " "	6 " "	8.83	...	101.41	...	1.91'	101.75'	99.41'		
Lakhya	Narayanganj ...	7th " "	6 A.M.	...	...	...	...	...	18.95'	15.77'		
	Takerhat ...	7th " "	6 A.M.	15.29	...	14.601	...	0.10'	14.851'	12.101'		
	Madaripur Bil Route ...	7th " "	6 A.M.	...	...	...	...	...	...	...

* Gauge out of order.

Statement showing the daily gauge readings of certain rivers at the stations named below for the week ending Thursday, the 10th September 1925.

Name of river and place where readings are taken.	Date.	Hour.	Reading on gauge.	Value of zero referred to P. W. D. datum.	Height above P. W. D. datum.	Compared with previous day's height.		Height above P. W. D. datum on same date in—		Remarks.
						Rise.	Fall.	1924.	1925.	
Ganges	8th Sept. 1925	6 A.M.	124.70'	0.00'	124.70'	Steady		125.50'	124.50'	
	8th "	6 "	84.50'	0.00'	84.50'	0.25'	...	84.90'	84.50'	
	8th "	8 hours	26.20'	1.409'	27.609'	0.10'	...	27.109'	28.496'	
Brahmaputra	8th "	8 A.M.	23.90'	136.358'	160.258'	0.10'	...	158.28'	156.18'	
	8th "	12 hours	40.40'	1.509'	41.909'	...	0.10'	40.609'	39.509'	
	8th "	8 A.M.	21.80'	314.06'	335.86'	0.90'	...	333.06'	330.68'	
Meghna	8th "	6 hours	19.92'	1.61'	21.53'	0.09'	...	21.69'	20.53'	
	8th "	10 "	13.50'	1.61'	15.11'	...	0.25'	13.44'	12.53'	
	8th "	7 "	30.85'	1.509'	32.309'	Steady		30.609'	31.859'	
Dhaleswari	8th "	7 A.M.	30.70'	-8.62'	22.08'	0.10'	...	20.68'	16.28'	
Bhagirathi	8th "	6 "	24.29'	1.509'	25.799'	0.23'	...	25.499'	27.259'	
Damodar	8th "	6 "	7.42'	92.58'	100.00'	...	1.42'	104.16'	99.08'	
Lakshya	8th "	6 "	24.71'	-5.59'	19.12'	...	...	18.66'	16.07'	
Madaripur Bil Route	8th "	6 "	15.40'	-0.599'	14.801'	0.20'	...	14.601'	12.101'	

Statement showing the daily gauge readings of certain rivers at the stations named below for the week ending Thursday, the 10th September 1925.

Name of river and place where readings are taken.	Date.	Hour.	Reading on gauge.	Value of zero referred to P. W. D. Station.	Height above datum.	Compared with previous day's		Height above P. W. D. Station on same date as—	Remarks.
						Flow.	Fall.		
Ganges	Moughyr ...	9th Sept. 1925	6 A.M. ...	124.50	0.00	124.50'	...	0.20'	124.00'
	Rajmahal ...	" "	" "	84.55	0.00	84.55'	0.05	...	84.00'
	Gadumdo ...	" "	" "	29.20	1.40	27.60	Steady	...	28.50'
Brahmaputra	Ganhati ...	" "	" "	23.80	136.95	160.75	...	0.10'	156.08'
	Serajanj ...	" "	" "	40.20	1.50	41.70	...	0.20'	39.80'
	Dibrugarh ...	" "	" "	22.10	314.06	336.16	0.30	...	330.38'
Meghna	Bhairab Bazar ...	" "	" "	20.00	1.61	21.61	0.08	...	20.61'
	Chaudpur ...	" "	" "	13.17	1.61	14.78	...	0.33'	12.94'
	Fenchuganj ...	" "	" "	30.85	1.50	32.35	Steady	...	30.08'
Dhaleswari	Sabhar ...	" "	" "	30.60	-8.62	21.98	...	0.10	17.68'
Bhagirathi	Swarupganj ...	" "	" "	24.47	1.50	25.97	0.12	...	27.04'
Damodar	Edilpur ...	" "	" "	11.75	92.58	104.33	4.33	...	98.83'
Lakshya	Narayanganj ...	" "	" "	24.58	-5.59	18.99	...	0.13'	16.33'
Madaripur Bill Route	Takeshat ...	" "	" "	15.50	-0.59	14.90	0.10	...	12.10'

Statement showing the daily gauge readings of certain rivers at the stations named below for the week ending Thursday, the 10th September 1925.

Name of river and place where readings are taken.	Date.	Hour.	Reading on gauge.	Value of zero referred to P. W. D. datum.	Height above P. W. D. datum.	Compared with previous day's height.		Height above P. W. D. datum on same date in—		Remarks.
						Rise.	Fall.	1924.	1925.	
Ganges	Monghyr ...	10th Sept. 1925	6 A.M. ...	125.70'	0.00'	125.70'	1.20'	125.50'	123.00'	
	Rajmahal ...	10th "	6 "	84.50'	0.00'	84.50'	...	86.10'	83.30'	
	Goalundo ...	10th "	8 hours ...	26.10'	1.409	27.509'	...	27.409'	28.796'	
Brahmaputra	Gauhati ...	10th "	8 A.M. ...	23.90'	138.538'	160.858'	0.10'	158.08'	155.88'	
	Sersajanj ...	10th "	12 hours ...	40.00'	1.509'	41.509'	...	40.509'	39.509'	
	Dibrugarh ...	10th "	8 A.M. ...	22.50'	314.06'	336.56'	0.40'	331.56'	332.28'	
Megna	Bhairab Bazar ...	10th "	6 hours ...	20.00'	1.61'	21.61'	Steady	21.53'	20.69'	
	Chandpur ...	10th "	12 "	12.67'	1.61'	14.28'	...	13.53'	13.11'	
	Fenchuganj ...	10th "	7 "	30.75'	1.509'	32.259'	...	30.159'	32.159'	
Dhaleswari	Sabhar ...	10th "	7 A.M. ...	30.50'	-8.62'	21.88'	...	20.58'	18.08'	
Bhagirathi	Swarupganj ...	10th "	6 "	24.68'	1.509'	26.189'	0.27'	27.549'	26.689'	
Damodar	Edilpur ...	10th "	6 "	11.42'	92.58'	104.00'	...	102.16'	98.58'	
Lakhya	Narayanganj ...	10th "	6 "	24.46'	-5.59'	18.87'	...	18.41'	16.70'	
Madaripur Bill Route	Takerhat ...	10th "	6 "	15.40'	-0.599'	14.801'	...	14.201'	12.201'	



The Calcutta Gazette

THURSDAY, OCTOBER 15, 1925.

PART VI.

Bills introduced in the Council of State and Legislative Assembly, Reports of Select Committees presented to the Council and Assembly and Bills published under Rule 18 of the Indian Legislative Rules.

GOVERNMENT OF INDIA.

Legislative Department.

[AS INTRODUCED IN THE LEGISLATIVE ASSEMBLY.]

A Bill further to amend the Indian Factories Act, 1911.

WHEREAS it is expedient further to amend the Indian Factories Act, 1911, for the purposes hereinafter appearing; It is hereby enacted as follows:—

Short title and commencement.

1. (1) This Act may be called the Indian Factories (Amendment) Act, 1925.

(2) It shall come into force on such date as the Governor General in Council may, by notification in the Gazette of India, appoint.

Amendment of section 2, Act XII of 1911.

2. In section 2 of the Indian Factories Act, 1911 (hereinafter referred to as the said Act),—

(a) after clause (d) of sub-section (2) the following shall be inserted, namely:—

“or

(e) in any other prescribed kind of work”;

(b) to sub-section (3) the following clause shall be added, namely:—

“(c) any premises wherein, or within the precincts of which, on any one day in the year not less than ten persons are simultaneously employed, and any such power is used, which have been declared by the Local Government, by notification in the local official Gazette, to be a factory;

A declaration under clause (c) may be made in respect of any class of premises, or in respect of any particular premises.”

(c) in sub-section (3), after the word “manufacturing” the words “or other prescribed” shall be inserted.

Amendment of
section 3, Act XII
of 1911.

3. In section 3 of the said Act, for the figures "1901" the figures "1923" shall be substituted.

Amendment of
section 7, Act XII
of 1911.

4. In sub-section (1) of section 7 of the said Act,—

- (a) after the words "such person and" the words "if he is fit for employment in a factory" shall be inserted;
- (b) for the word "whether" the word "that" shall be substituted;
- (c) before the word "employment" where it last occurs in the sub-section, the word "such" shall be inserted; and
- (d) the last three words of the sub-section shall be omitted.

Insertion of new
section 9A in
Act XII of 1911.

5. After section 9 of the said Act the following section shall be inserted, namely:—

Temperature

- "9A. (1) In every factory a reasonable temperature shall be maintained.
- (2) In the case of any factory in which, in the opinion of the inspector, a reasonable temperature is not maintained, the inspector may serve on the manager of the factory an order in writing, specifying the measures which he considers necessary to maintain a reasonable temperature, and requiring him to carry them out before a specified date."

Amendment of
section 10,
Act XII of 1911

6. In section 10 of the said Act, after the word "provided," the words "before a specified date and" shall be inserted, and the last four words of the section shall be omitted.

Amendment of
section 19, Act XII
of 1911

7. In section 19 of the said Act, after the word "No" the words "person in any area notified by the Local Government in this behalf in the local official Gazette and in any other area no" shall be inserted.

Amendment of
section 21, Act XII
of 1911

8. In sub-section (1) of section 21 of the said Act,—

- (a) for sub-clause (ii) of clause (a) the following sub-clause shall be substituted, namely:—

"(ii) at the request of the employees concerned, periods of rest, at intervals not exceeding five hours, of not less than half an hour each, the total duration of the periods of rest on that day not being less than one hour for each period of six hours' work done";

- (b) to clause (a) the following proviso shall be added, namely:—

"Provided that, in lieu of the periods provided under sub-clause (i) or sub-clause (ii) there may be fixed for each male person employed for not more than eight and a half hours on each working day, at the request of the employees concerned and with the previous sanction of the Local Government, a period of rest of not less than half an hour, so arranged that no such person shall work for more than five hours continuously, and".

Amendment of
section 23, Act XII
of 1911.

9. In section 23 of the said Act, the words "woman or" shall be omitted.

Amendment of
section 26, Act XII
of 1911

10. In sub-section (1) of section 26 of the said Act,—

- (a) in clause (a) after the word "except" the number and brackets "(i)" shall be inserted, and after the words "seasons or" the number and brackets "(ii)" shall be inserted;

(b) after the words "as it may impose" the words "and in such area as may be specified in the notification" shall be inserted;

(c) in the phrase beginning "in case (a)" after the word "sections" the figures "21" shall be inserted;

(d) in the phrase beginning "in case (b)" after the word "sections" the figures "21" and after the figures "22" the figures "26" shall be inserted;

(e) in the phrase beginning "in case (c)" for the word and figures "and 22" the word and figures "22 and 26" shall be substituted;

(f) after the phrase beginning "in cases (d) and (e)" the following phrase shall be added, namely:—

"in case (e) (ii) such class of factories from the provisions of section 26."

Amendment of section 31, Act XII of 1911.

11. In section 31 of the said Act, after the figure "(1)" the words and figure "or sub-section (2)" shall be inserted.

Insertion of new sections 31A and 31B in Act XII of 1911.

12. After section 31 of the said Act the following sections shall be inserted, namely:—

Employment in engine room or boiler house.

"31A. The Local Government may, subject to the control of the Governor General in Council, by notification in the local official Gazette, exempt on such conditions, if any, as it may impose any factory from the provisions of section 22 in respect of persons employed in the engine-room or boiler house of such factory.

Night employment of women.

31B. The Local Government may, subject to the control of the Governor General in Council, by notification in the local official Gazette, exempt on such conditions, if any, as it may impose any factory from the provisions of clause (a) of section 24 in respect of women employed on any work in connection with raw material or on any process in connection with any material in which the material is during the process subject to rapid deterioration, where the employment of such women, outside the limits provided by clause (a) of section 24, is necessary to prevent any damage to or deterioration of the material."

Amendment of section 33, Act XII of 1911.

13. In sub-section (3) of section 33 of the said Act, for the words "the occupier shall himself" the words "or during which the person designated does not manage the factory, any person found acting as manager of the factory or, if no such person is found, the occupier himself shall" shall be inserted.

Amendment of section 34, Act XII of 1911.

14. In section 34 of the said Act, after the word "factory," where it occurs for the first time, the words "due to any cause which the Local Government may, by notification in the local official Gazette, specify, or" shall be inserted.

Amendment of section 35, Act XII of 1911.

15. To section 35 of the said Act the following provisions shall be added, namely:—

"Provided that, where it is proved to the satisfaction of the Local Government that no person can be employed in a factory in contravention of the provisions of Chapter IV, the Local Government may, by notification in the local official Gazette, exempt on such conditions, if any, as it may impose such factory from the provisions of this section in respect of persons other than children employed in such factory."

Provided, further, that where in the opinion of the Inspector a muster roll or register kept in a factory gives the particulars required in the prescribed form, he may, by order in writing, direct that such muster roll or register shall be kept in place of the register in the prescribed form, and such muster roll or register shall thereupon, for all or any of the purposes of this Act, be deemed to be the register kept in the prescribed form."

Amendment of
section 36, Act XII
of 1911.

16. For sub-section (5) of section 36 of the said Act the following sub-section shall be substituted, namely:—

"(5) The said notice shall be correctly maintained and kept up to date; any change in the standing orders of the factory shall be entered therein by the manager before such change comes into force; when any such change is entered in the notice, a copy of the notice or of the order in which the change is made shall be sent in duplicate by the manager to the inspector within twenty-four hours."

Amendment of
section 41, Act XII
of 1911.

17. In clause (g) of section 41 of the said Act, after the word "under" the word, figure and letter "section 9A" shall be inserted.

Insertion of new
section 44A in
Act XII of 1911.

18. After section 44 of the said Act the following section shall be inserted, namely:—

Employment of
children in two
factories on the
same day.

"44A. Where a child is employed in any factory and such child has already been employed on the same day in any other factory, the parent or guardian or person having legal custody of or control over or direct benefit from the wages of the child shall be punished with fine, which may extend to twenty rupees, unless it appears to the Court that the offence was committed without the consent, connivance or wilful default of the parent, guardian, or such person as aforesaid."

Amendment of
section 46, Act XII
of 1911.

19. In section 46 of the said Act, for the words "process or work incidental to any manufacturing" the words "or other prescribed process or work incidental to any such" shall be substituted.

Insertion of new
section 48A in Act
XII of 1911.

20. After section 48 of the said Act the following section shall be inserted, namely:—

Power to conduct
prosecution.

"48A. An inspector may conduct the prosecution in any case relating to an offence, of which he has charge, against this Act or any rule or order thereunder, before any Court in which such case is under inquiry, trial or appeal, and shall have the like power of withdrawing from the prosecution as is provided by section 494 of the Code of Criminal Procedure, 1898, and the provisions of that section shall apply to any withdrawal by an inspector."

Amendment of
section 49, Act XII
of 1911.

21. In section 49 of the said Act, after the word "thereunder" the words and figures "other than an offence against section 33" shall be inserted.

Amendment of
section 50, Act XII
of 1911.

22. In sub-section (1) of section 50 of the said Act, after the word "under" the word, figure and letter "section 9A" shall be inserted.

STATEMENT OF OBJECTS AND REASONS.

The Indian Factories Act, 1911 (XII of 1911), was radically revised by Act II of 1922, which introduced a series of important reforms including the adoption of a sixty hours' week, the raising of the minimum age of children from 9 to 13, the prohibition of night work for women, the extension of the Act to a large number of small factories, drastic restriction of the exempting provisions, etc. The experience of the last three years indicates that the amended Act has worked smoothly on the whole, and the main principles followed in 1922 command general acceptance. The Government of India do not propose to modify any of the main principles of the Act.

2. But administrative difficulties have arisen in connection with some sections of the Act; one such difficulty relates to section 21 which provides for intervals of rest. In practice it has proved difficult to enforce the provisions of this section in some industries. Local Governments were asked in June 1923 to consider a possible solution of the difficulty and to bring to the notice of the Government of India any difficulties which might have arisen, in connection with other provisions. On receipt of their replies, a Conference of Chief Inspectors of Factories was convened; this met in Simla, in August 1924, and was attended by the officers at the head of the inspection staff in every province but one. The Act was examined in detail in the light of the criticisms received, and the Conference recommended a number of alterations designed by allowing greater elasticity in some directions and by increasing control in others, to make for smoother working. The amendments proposed in the Bill are based on the recommendations of that Conference and on the opinions received from Local Governments. They are explained in the detailed Notes on Clauses below.

NOTES ON CLAUSES.

Clause 2.—There are a number of establishments such as electrical generating stations, water works, etc., which, while they are essentially factories in the ordinarily accepted sense of the term and require regulation as much as other factories do not appear to fall strictly within the definition in section 2 (3) of the Factories Act. The amendment proposed is designed to ensure the application of the Act to such factories. The amendment proposed in *clause 19* is consequential.

Clause 3.—The amendment is consequential on the repeal of Act VIII of 1901 by Act IV of 1923.

Clause 4.—Sub-section (1) of section 7 directs the certifying surgeon to give to an unfit child a certificate that he is unfit; such certificates are said to have been given and used for the purpose of employment. The amendments preclude the certifying surgeon from giving a certificate to a child who is found to be unfit for employment.

Clause 5.—The existing Act makes no provision for the prevention of excessive temperatures within a factory. The new section is designed to remedy this defect. The amendments proposed in *clauses 17* and *22* are consequential.

Clause 6.—The amendment is of a formal character and is designed to make it clear that, where a manager of a factory has been required to provide a fan, the fan must be maintained in use.

Clause 7.—Under the existing law, women and children are prohibited from cleaning machinery in motion. But a large number of accidents to men have occurred from the cleaning of machinery in motion. It is therefore proposed to give Local Governments power to prevent this practice, where they are satisfied that it is attended with danger to the operatives.

Clause 8.—Two difficulties have arisen in connection with section 21 (1) (a) of the Factories Act, 1911. The sub-section was designed to secure for employees a daily interval of one hour or, if they so prefer, two intervals of half an hour each, so arranged that no operative is required to work for more than five hours continuously. It is doubtful whether the section carries out the intention of the Legislature as regards the second alternative; clause (ii) may be interpreted as requiring that both the half-hour intervals, if this system is chosen, should be given before the seventh hour of work commences. The first amendment proposed is designed to carry out the original intention of the Legislature.

But the Government of India propose at the same time to make a more substantial amendment. As soon as section 21 came into effect, difficulty was experienced in enforcing it in factories which were working for appreciably shorter hours than the maximum permitted by the Act, and more particularly in engineering works. The operatives, who under the old Act had been given an interval of only half an hour found that the new Act resulted in a diminution of the hours which they were able to spend at their homes. And where, as in many cases, their homes were situated at a considerable distance from their work, their dislike of the new provision was correspondingly increased. The Government of India referred the whole question for detailed consideration to Local Governments and the replies showed a general consensus of opinion in favour of an

amendment of the section. The proposal now put forward is based on the recommendation of the Factory Inspectors' Conference. If it is passed into law, it will be possible for Local Governments to permit the reduction of intervals to one interval of half an hour daily in the case of male operatives working for not more than 8½ hours a day, provided that the operatives themselves desire this arrangement. The Government of India are satisfied that the proposal will not be detrimental to the operatives concerned, and they hope that it may have the effect of reducing the hours of work in some factories.

Clause 9.—The existing Act prohibits the employment of women and children in more than one factory on the same day. It has been brought to the notice of the Government of India that in certain cases this provision operates to prevent women from securing adequate employment. In some factories which work for only a few hours each day, it was formerly the custom for women to do a few hours' work in one factory and then to proceed to a neighbouring factory to complete their day. Provided that the weekly and daily limits placed by the Act on hours of work are not exceeded, there is no reason why this practice should be prevented; and where, as in the case of the factories in question, the hours of opening and closing of the factories are simultaneous, there is no risk of abuse in a relaxation of the existing provision. The relaxation will only be effective when the sanction of the Local Government has been obtained, and it is contemplated that this sanction will only be given to the employment of women within specified hours, so arranged that it is not possible for a woman to work outside the limits provided by sections 24 and 27.

Clause 10.—A number of minor modifications are proposed in section 30 of Act XII of 1911. As the section at present stands it is not possible for Local Governments granting exemption to limit the exemption to particular areas and, if an exemption proves necessary in a particular part of the province, they are compelled to grant an exemption applicable throughout the province. Amendment (b) is designed to remedy this defect.

In the case of person engaged in preparatory or complementary work, it is frequently necessary that the provision relating to intervals should be abrogated and, where work is essentially intermittent, the workers, although they enjoy as a rule long intervals of rest, cannot always be given them at specified hours. It is proposed therefore in amendments (c) and (d) to give the Local Government power to grant exemptions from section 21 of the Factories Act.

A number of factories in which continuous production is necessary for technical reasons work upon a shift system and, with such a system, it is not always possible to secure that on no day of the week shall the hours of work exceed eleven. It is proposed therefore in amendment (e) to give the Local Government power to grant exemption from section 28 of the Factories Act.

No exemptions are at present possible from section 26 of the Factories Act, which requires the manager to fix beforehand specified hours for the employment of each person employed. But it is not possible in a number of cases for the manager of a factory to comply with this provision. Where work depends on the irregular action of natural forces, it is obviously impossible for the manager to predict beforehand the hours at which the operatives will commence work. Much the same difficulty arises in the case of work which is essentially intermittent. It is proposed therefore by amendments (a), (d) and (f) to permit the Local Government to grant exemptions from the provisions of section 26 of the Factories Act. The exemptions will in all cases be subject to any conditions which the Local Government may consider necessary for the purpose of ensuring that the provisions of the Act limiting hours of work are not contravened.

Clause 11.—The existing Act provides that where persons, by virtue of an exemption granted under section 30 (1), are permitted to work for more than 60 hours in a week, they are entitled to overtime at the rate of at least 1½ times the normal rate of wages. There is no reason why this provision should not apply equally to exemptions granted under section 30 (2).

Clause 12.—It is frequently necessary that the persons employed in the engine-room or boiler-house of a factory should attend on the weekly holiday, and the new section 31A is designed to meet this need.

The existing section 24 (a) prohibits the employment of women in factories before 5-30 A.M. and after 7 P.M. This provision has proved prejudicial to the working of fish-curing and canning factories. It is essential in such cases that work should commence as soon as the material is available, and this was recognized in the International Convention relating to the employment of women by night, which has been ratified by India. The Factories Act, however, contains no provision for the purpose and the new section 31B is designed to supply the deficiency.

Clause 13.—Difficulties have arisen in enforcing the Act where no person has been officially designated as manager of the factory. This difficulty has been especially felt in Burma in the case of factories owned by Chinese proprietors who cannot easily be traced. The person managing the factory cannot be prosecuted for an infringement of the law unless he has actually been designated as manager. The amendment proposed is designed to make it possible for responsibility to be brought home to the person actually managing the factory.

Clause 14.—As section 34 of the Factories Act stands at present, it does not enable the inspector or the Local Government to receive notices of dangerous accidents, which do not actually result in death or a bodily injury. For example, if part of a factory collapses when no one is working in it, so that no casualties result, no report need be made, and the necessity of enforcing more stringent precautions may thus be overlooked. It is therefore proposed to insert a provision giving Local Governments power to require notices of accidents of any special class of explosion, fire, collapse of buildings, accidents to machinery or plant, etc., which they may specify.

Clause 15.—Section 35 of the Factories Act, which is supplementary to section 26, has given rise to considerable difficulty in administration. It requires the manager to maintain a register of all persons employed and of their hours of work, and these hours must necessarily be specified beforehand. As has been indicated in the note on clause 10, it is not always possible for the manager to predict the exact hours within which each person shall be employed, and it is therefore proposed to give the Local Government power to dispense with the necessity of the register in certain cases. It is intended that this power should only be used where the total hours worked by the factory are such that it is impossible for any adult to work for hours longer than those permitted by the Act, and provided that this condition is observed, there is no danger of any infringement of the limits which the Act imposes upon hours of work. It would not be possible to prevent abuses arising in connection with the employment of children if a similar exemption were granted in their case. It is proposed therefore that the exemption should only be possible in the case of adults.

In a number of factories, elaborate muster-rolls are maintained, which give all the necessary particulars but which are not necessarily in the form prescribed by the Local Government. It is proposed to grant the inspector power to permit the substitution of these muster-rolls for the register prescribed under the Act.

Clause 16.—Under section 36 of the Factories Act, notices must be displayed, giving the standing orders of the factory relating to hours of work, rest intervals and holidays, and alterations in these notices must be sent to the inspector within seven days. At present, an inspector who visits the factory and finds that the standing orders are being contravened may be informed that the change has been made a few days before his visit to the factory, and it is difficult for him to check the accuracy of this statement. There is no reason why changes in the hours of work should not be notified to the inspector as soon as they are made, and the amendment will, it is hoped, place the inspecting staff in a position to exercise more effective control than is possible at present.

Clause 18.—Considerable difficulty has been experienced in preventing the employment of children in two factories on the same day. It is seldom possible to prove that either manager is aware that the child is working in another factory and in many cases the manager may have no such knowledge. On the other hand, it is almost universally the case that such employment is obtained under compulsion from or on the instigation of the parent or guardian of the child. It is believed that, if it were possible to punish the parent or guardian for what is essentially a gross dereliction of his duty to the child, the hands of those who are endeavouring to stamp out the abuse would be considerably strengthened. The proposed section is an adaptation of section 138 (1) of the British Factory and Workshop Act, 1901.

Clause 20.—The new clause is designed to enable inspectors to conduct prosecutions under the Factories Act.

Clause 21.—Section 33 of the Factories Act provides that persons occupying factories should send a written notice to the inspector on or before the date on which the factory commences work. Section 49 prevents prosecution for any offence unless complaint has been made within six months of the date of the alleged offence. It follows that, if a factory has worked for more than six months without being discovered, the occupier cannot be prosecuted for failure to inform the inspector of the opening of the factory. The amendment is designed with a view to rectifying this defect.

B. N. MITRA.

8th September, 1925.



The Calcutta Gazette

THURSDAY, NOVEMBER 5, 1925.

PART VI.

**Bills introduced in the Council of State and Legislative Assembly,
Reports of Select Committees presented to the Council
and Assembly and Bills published under Rule 18 of the Indian
Legislative Rules.**

GOVERNMENT OF INDIA.

Legislative Department.

The following Bill was introduced in the Legislative Assembly on the 27th August 1925 :—

No. 39 OF 1925.

*A Bill further to amend the Code of Criminal Procedure,
1898.*

WHEREAS it is expedient further to amend the Code of Criminal Procedure, 1898, for the purposes hereinafter appearing; It is hereby enacted as follows:—

Short title.

1. This Act may be called the Code of Criminal Procedure (Amendment) Act, 1925.

Amendment of
section 123, Act V
of 1898.

2. In sub-section (c) of section 123 of the Code of Criminal Procedure, 1898 (hereinafter referred to as the said Code),—

(a) the words and figures "or section 109" shall be omitted; and

(b) before the word and figures "section 110" the words and figures "section 109 or" shall be inserted.

Amendment of
section 170, Act V
of 1898.

3. Sub-section (4) of section 170 of the said Code is hereby repealed.

Amendment of
section 200, Act V
of 1898.

4. In proviso (b) to section 200 of the said Code, after the words "thinks fit, and" the words "where the complaint is made in writing" shall be inserted.

Amendment of
section 202, Act V
of 1898.

5. For the proviso to sub-section (1) of section 202 of the said Code the following proviso shall be substituted, namely:—

"Provided that, save where the complaint has been made by a Court, no such direction shall be made unless the complainant has been examined on oath under the provisions of section 200."

Amendment of
section 203, Act V
of 1898.

In section 203 of the said Code, for the words "any investigation" the words "the investigation" shall be substituted; and after the word "inquiry" the words "and brackets" (if any) shall be inserted.

Amendment of
section 476, Act V
of 1898.

7. In sub-section (1) of section 476 of the said Code,—

(a) to the first paragraph the following proviso shall be added, namely:—

"Provided that, where the Court making the complaint is a High Court, the complaint may be signed by such officer of the Court as the Court may appoint"; and

(b) in the second paragraph the word "Chief" shall be omitted.

STATEMENT OF OBJECTS AND REASONS.

Since the Code of Criminal Procedure, 1898, was amended by Acts XII and XVIII of 1923, certain difficulties have been brought to light by Local Governments and judicial authorities. These have been examined by the Government of India, and the Bill has been prepared with the object of making such amendments in the law as appear to them to be desirable. The reasons for the amendments are explained in the notes on clauses below:—

Notes on Clauses.

Clause 2.—Prior to the amendment of section 123 of the Code by section 21 (2) of Act XVIII of 1923, Courts had discretion to award either simple or rigorous imprisonment in the case of proceedings under section 109. The effect of the amendment was to take away the discretion, and this clause restores it. Several Local Governments have represented that the change has worked injuriously, as most of the persons against whom proceedings are taken under section 109 are men for whom simple imprisonment is quite unsuitable.

Clause 3 deletes sub-section (4) of section 170 which provides that the day fixed under this section shall be the day whereon the accused person is to appear, if security for his appearance has been taken, or the day on which he may be expected to arrive at the Court of the Magistrate, if he is to be forwarded in custody. This provision requires, for example, that all witnesses shall be bound down to appear before the Magistrate on the date when the accused is expected to arrive at the Court if he is forwarded in custody. It has been found to be inconvenient, and it is understood is frequently not followed in practice.

Clause 4.—At present a Presidency Magistrate need not record the substance of an examination even if the complaint is not in writing. It is desirable that where there is no complaint in writing the Magistrate should record the examination in writing.

Clause 5.—Under section 202 of the Code of Criminal Procedure a Magistrate receiving a complaint may not direct an inquiry or investigation by any Magistrate subordinate to him or by a police officer if the complaint has been made by a Court. This has caused difficulties in the case of a Court complaining under section 476 of the Code. Under that section the Court has only to record a finding that it is expedient that an inquiry should be made into an offence which appears to have been committed, and it seems clear that cases will arise in which an inquiry or investigation should be made before a person is put on his trial. The difficulty was brought to light by the Bombay High Court and the Local Governments and other High Courts have all agreed that some provision is required. This clause gives effect to the proposal.

Clause 6.—The Calcutta High Court in a recent decision (in the case of *Sriish Chandra Bose versus Madan Lal Surana and others*) has held that under section 203 an investigation or an inquiry under section 202 is necessary in all cases, because the words "if any" have been omitted from section 203 after the words "investigation or inquiry". No such change was intended by the amendment made by Act XVIII of 1923, and the proposed addition is to make this matter clear.

Clause 7.—The Lahore High Court has represented that it is a needless waste of time of the Judges of a High Court that they should be required to sign all complaints under section 476. The proposed change in sub-clause (a) enables any officer of such a Court whom the Court may appoint to sign the complaint. Sub-clause (b) proposes to make all Presidency Magistrates, Magistrates of the first class for the purpose of section 476 (1). At present if a Chief Presidency Magistrate wishes to take action it is necessary for him to send the case to a first class Magistrate outside the Presidency town because the other Presidency Magistrates are not first class Magistrates for the purposes of this section.

A. P. MCDONNAN.

The 25th August 1925.

L. GRAHAM,

Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Bill was introduced in the Council of State on the 1st September 1925:—

No. 9 of 1925.

A Bill to amend the Interest Act.

WHEREAS it is expedient to limit the interest charged on loans of various kinds in British India; It is hereby enacted as follows:—

Short title, commencement and extent.

1. (1) This Act may be called the Amendment of the Law relating to Interest Act, 192 .

(2) It shall come into force on

(3) It shall extend to the whole of British India.

Repeals.

2. Provisions of other laws and regulations, so far as they are inconsistent with the provisions of this Act, are hereby repealed.

Interest not to exceed amount of principal debt.

3. No creditor, whether of a secured or unsecured loan, shall be entitled to recover by suit interest exceeding the principal amount originally lent or due at the date of suit whichever is less.

Act not to apply to usufructuary mortgages

4. This Act will not apply to usufructuary mortgages.

STATEMENT OF OBJECTS AND REASONS.

The Bill is designed to prevent the accumulation of interest for long periods, and thereby save many a debtor from utter ruination by his calculating and clever creditors.

There is similar rule in Hindu Law and it is called the Rule of Damdoopat. It is in operation in the Bombay Presidency and Berar. It is made applicable in cases in which the debtors are Hindus, while in the town of Calcutta, it is applied in cases where both the plaintiffs and defendants are Hindus.

The operation of this rule on the lines obtaining in the Bombay Presidency and Berar entails a great hardship upon those who are non-Hindus because if they are creditors they cannot recover interest more than the principal amount due on the date of the suit, and if debtors they are denied the benefit of this rule altogether and they are made to pay interest irrespective of its being more than the principal amount due on the date of the suit.

This rule is a very wholesome one if it were made applicable to all alike. It is so done in many of the Native States even to this day.

Owing to its non-existence in other parts of British India, the Hindus and non-Hindus are alike falling victims to the Wait and Have It game of their scheming creditors who allow the interest to accumulate to such an extent that it becomes impossible for the debtors to pay up the amount, and they are ultimately deprived of their hearths and homes.

The effect of this amendment would no doubt be that the creditors will sue their debtors as soon as the amount of interest is equal to the principal amount, and even this procedure is beneficial to the debtors because at present sentiment prevents debtors to part with part of their property and pay off their debts and so they go on allowing the interest to be accumulated in the hope of clearing their debts in years of plenty and prosperity but they are unable to do so and the Sahooakar allows them time till the interest with principal swells up to the value of the property in suit or with them and at once rushes into Court and takes everything from them in lieu of his money. But if the Sahooakar were to bring his suit sooner, the debtor would be getting a chance of laying aside his sentimentalism, sell part of his property, pay off his debt and save the remainder of his property for himself and his family.

The Interest Act of 1839 (Act XXIII) and Usury Regulation Act of 1855 (XXVIII) which are absolutely inconsistent with both the Hindu and Mahamadan Laws on the subject were passed at a time when there was no Indian representative in the Council and have brought ruin on large number of people.

The Usurious Loans Act of 1918, although gives power to Courts to curtail the rate of interest when they consider it excessive, yet provides no remedy to stop accumulation beyond a certain limit. Careless borrowers who allow unlimited accumulation and inflict ruin on their descendants stand in great need of protection.

The 25th July 1925.

MOHD. YAMIN KHAN.

L. GRAHAM,

Secretary to the Government of India.



The Calcutta Gazette

THURSDAY, NOVEMBER 19, 1925.

PART VI.

Bills introduced in the Council of State and Legislative Assembly, Reports of Select Committees presented to the Council and Assembly and Bills published under Rule 18 of the Indian Legislative Rules.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Bill was introduced in the Legislative Assembly on the 25th August, 1925:—

No. 32 of 1925.

A Bill to provide for the punishment of corrupt practices by or relating to members of legislative bodies constituted under the Government of India Act.

WHEREAS it is expedient to provide for the punishment of corrupt practices by or relating to members of legislative bodies constituted under the Government of India Act; It is hereby enacted as follows:—

Short title and commencement.

1. (1) This Act may be called the Legislative Bodies Corrupt Practices Act, 1925.

(2) It shall come into force on such date as the Governor General in Council may, by notification in the Gazette of India, appoint.

Insertion of new Chapter IXB in the Indian Penal Code.

2. After Chapter IXA of the Indian Penal Code the following Chapter shall be inserted, namely:—

XLV of 1960.

"CHAPTER IXB.

Of Offences by or relating to members of Legislative Bodies.

"Member of a legislative body" defined.

171J. For the purposes of this Chapter "member of a legislative body" means a member of either Chamber of the Indian Legislature or of a Legislative Council constituted under the Government of India Act when acting as such member or as a member of any body appointed by such Chamber or Council.

Bribery of members of legislative bodies.

171K. (1) Whoever—

- (a) gives a gratification to any person with the object of inducing him or any other person to do or forbear to do any act as a member of a legislative body or of procuring any person for having done or forbore to do any act as such member, or
- (b) accepts either for himself or for any other person any gratification as a reward for doing or forbearing to do any act as a member of a legislative body or for inducing or attempting to induce any other person to do or forbear to do any act as such member,

commits an offence under this section.

(2) A person who offers, or agrees to give, or offers or attempts to procure, a gratification shall be deemed to give a gratification.

(3) A person who obtains or agrees to accept or attempts to obtain a gratification shall be deemed to accept a gratification, and a person who accepts a gratification as a motive for doing what he does not intend to do, or as a reward for doing what he has not done, shall be deemed to have accepted the gratification as a reward.

Punishment for offence under section 171K

171L. Whoever commits an offence under section 171K shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both."

Amendment of the Code of Criminal Procedure.

3. (1) In section 196 of the Code of Criminal Procedure, 1898, after the figures and letter "IXA" the word, figures, and letter " or IXB " shall be inserted.

(2) In Schedule II to the Code of Criminal Procedure, 1898, after the entries relating to Chapter IXA of the Indian Penal Code, the following shall be inserted, namely :—

V of 1898.

V of 1898.

XLV of 1899

"CHAPTER IXB.

OFFENCES BY OR RELATING TO MEMBERS OF LEGISLATIVE BODIES.

171L	Bribery of members of legislative bodies.	Shall not affect without warrant	Summoned.	Not liable.	Not punishable.	Imprisonment for three years, or fine, or both.	Court of Session, Presidency Magistrate or Magistrate of the first class."
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STATEMENT OF OBJECTS AND REASONS.

In paragraph 91 of their report, the Reforms Inquiry Committee recommended that the corrupt influencing of votes of members of the legislatures by bribery, intimidation and the like should be made penal offences under the ordinary criminal law, and paragraph 124 indicates that this recommendation was the unanimous recommendation of the Committee as a whole. The tender of a bribe to, or the receiving of a bribe by, a member of a legislature in India as an inducement for him to act in a particular manner as a member of the legislature is not at present an offence. On the other hand the intimidation of a member for this purpose which was also mentioned by the Committee is already an offence under sections 503, 506 and 507 of the Indian Penal Code.

The Bill proposes to penalise—

- (1) the offering of a bribe to a member of a legislature in connection with his functions as such; and
- (2) the receipt or demand by a member of a legislature of a bribe in connection with his functions as such.

The definition adopted for the offence follows that in section 171B of the Code in regard to the offence of bribing a voter at an election, and in order to prevent vexatious prosecutions the offence has been included in section 196 of the Code of Criminal Procedure.

A. P. MUDDINAN.

The 9th August 1924.

L. GRAHAM,

Secretary to the Government of India.



The Calcutta Gazette

Extraordinary

WEDNESDAY, DECEMBER 30, 1925.

GOVERNMENT OF BENGAL.

APPOINTMENT DEPARTMENT.

NOTIFICATIONS.

No. 16747A.—*The 29th December 1925.*—His Excellency the Governor in Council is pleased to accept the resignation tendered by the Hon'ble Sir Abdur Rahim, K.C.S.I., of his office of Member of the Executive Council of the Governor of Bengal, with effect from the afternoon of the 29th December 1925.

No. 16748A.—*The 29th December 1925.*—His Majesty the King-Emperor of India has been graciously pleased to appoint the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur, C.I.E., to be a Member of the Executive Council of the Governor of Bengal.

No. 16749A.—*The 29th December 1925.*—With reference to Government notification No. 16748A., dated the 29th December 1925, it is hereby notified that the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur, C.I.E., who has been appointed by His Majesty the King-Emperor of India to be a Member of the Council of the Governor of Bengal, has this day in the afternoon taken upon himself the execution of his office.

L. BIRLEY,

Chief Secretary to the Government of Bengal.



The Calcutta Gazette

Extraordinary

MONDAY, DECEMBER 28, 1925.

GOVERNMENT OF BENGAL.

POLITICAL DEPARTMENT.

Political Branch.

NOTIFICATION.

No. 13466P.—*The 24th December 1925.*—His Excellency the Right Honourable Rufus Daniel Isaacs, Earl of Reading, P.C., G.C.B., G.M.S.I., G.M.I.E., G.C.V.O., Viceroy and Governor-General of India, accompanied by Her Excellency the Countess of Reading, C.I., G.B.E., and Staff, will leave "Belvedere", Calcutta, for Delhi *via* Benares, at 11-10 A.M. (Calcutta time) on Saturday, the 9th January 1926. His Excellency's departure from Calcutta will be public.

2. All Civil, Naval and Military Officers of Government, who may be present in Calcutta, will assemble at "Belvedere" not later than 10-45 A.M. (Calcutta time). Consular Representatives of Foreign Governments in Calcutta, Ruling Princes and Chiefs, and Noblemen of Bengal, Members of the Council of State and Legislative Assembly representing Bengal, and other gentlemen on the Government House List who are desirous of attending, are invited to be present at "Belvedere" by 10-45 A.M. (Calcutta time).

3. Admission to "Belvedere", except in the case of officers in uniform, will be by ticket only, for which applications should be made to the Under-Secretary to the Government of Bengal, Political Department, Writers' Buildings, not later than the 4th January 1926.

4. A Guard-of-Honour of British Infantry and a Guard-of-Honour of the Calcutta Battalion, A.F., I., will be drawn up opposite the Grand Staircase, "Belvedere", and will salute as Their Excellencies the Viceroy and the Countess of Reading arrive at the foot of the Staircase.

5. His Excellency the Viceroy will, after inspecting the Guards-of-Honour, drive to Howrah Station escorted by His Excellency the Governor-General's Body Guard, the Calcutta Light Horse, A.F.; I., and a squadron of Indian Cavalry. The following will be the order of the procession:—

First detachment	...	Governor-General's Body Guard.
Ditto	...	Calcutta Light Horse A. F. I.
Carriage	...	His Excellency the Viceroy.
		Her Excellency the Countess of Reading.
		Military Secretary to His Excellency the Viceroy.
		Aide-de-Camp to His Excellency the Viceroy.
		Carriage Escort of the Body Guard.
Second detachment	...	Governor-General's Body Guard.
		Squadron of Indian Cavalry.

6. The route from "Belvedere" to Howrah Station will be via Zeerut Bridge, Circular Road, Jail Road, Causserina Avenue, Kidderpore Road, Red Road, Government Place, East, Old Court House Street, Dalhousie Square, North, Olive Street, Fairlie Place, Strand Road, and Howrah Bridge. The route will be lined by troops, from the junction of Government Place, East, and Esplanade, East, to the Calcutta side of the Howrah Bridge under the orders of the General Officer Commanding, Presidency and Assam District.

7. Their Excellencies the Viceroy and the Countess of Reading will be received on arrival at Howrah Station by His Excellency the Governor of Bengal and the Countess of Lytton, the Commissioner, Berdwan Division, the Magistrate of Howrah, the Commissioner of Police, Calcutta, the Agent, East Indian Railway, and the Chairman, Howrah Municipality.

8. A Guard-of-Honour of the East Indian Railway Regiment, A. F. I., and a Guard-of-Honour of Indian Infantry will be drawn up on the platform and will salute as His Excellency the Viceroy alights from the carriage.

9. After the inspection of the Guards-of-Honour His Excellency will enter his Saloon.

10. A Viceroyal salute of thirty-one guns will be fired from the ramparts of Fort William as His Excellency the Viceroy leaves "Belvedere". A similar salute will be fired as the Viceroyal Train leaves Howrah Station.

11. Levee Dress will be worn by Civil Officers, and Full Dress Cloth or Field Service uniform by Military Officers. Gentlemen not entitled to wear uniform will appear in Morning Dress. Indian gentlemen will wear Durbar Dress.

L. BIRLEY,

Chief Secretary to the Government of Bengal.



The Calcutta Gazette

THURSDAY, JULY 9, 1925.

PART IV.

Bills introduced in the Bengal Legislative Council, Report of Select Committees presented or to be presented to that Council, and Bills published before introduction in that Council.

GOVERNMENT OF BENGAL.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

No. 1435L., dated Calcutta, the 30th June, 1925.—His Excellency the Governor having been pleased to order, under rule 18 of the Bengal Legislative Council Rules, 1920, the publication of the following Bill, together with the Statement of Objects and Reasons which accompanies it, in the *Calcutta Gazette*, the Bill and the Statement of Objects and Reasons are accordingly hereby published for general information :—

THE DACCA UNIVERSITY (AMENDMENT) BILL, 1925.

A BILL

further to amend the Dacca University Act, 1920.

WHEREAS it is expedient further to amend the Dacca University Act, 1920, in order to make provision for the payment by the Local Government of an annual contribution to the University of Dacca. XVIII of 1920.

It is hereby enacted as follows :—

Short title.

1. This Act may be called the Dacca University (Amendment) Act, 1925.

Insertion of new section 47A in Act XVIII of 1920.

2. After section 47 of the Dacca University Act, 1920, the following shall be inserted, namely :—

Annual contribution by the Local Government to the University.

“47A.—The Local Government shall, for the purposes of this Act, contribute annually to the University a sum of five and a half lakhs of rupees”.

STATEMENT OF OBJECTS AND REASONS.

The University of Dacca has to rely for its income mainly on the Government grant which is subject annually to the vote of the Council. To enable the University to make plans for the future and to engage teachers on agreements extending over a period of years, it is necessary that it should be able to count on an assured income. It is therefore proposed to amend the Dacca University Act so as to provide for an annual contribution of five and a half lakhs of rupees to the University.

ABD-UR RAHIM,

Member-in-charge.

CALCUTTA ;

The 30th June, 1925.

J. BARTLEY,

*Secretary to the Government of Bengal, and
Secretary to the Bengal Legislative Council (offg.).*



The Calcutta Gazette

THURSDAY, JULY 30, 1925.

PART IV. •

Bills introduced in the Bengal Legislative Council, Report of Select Committees presented or to be presented to that Council, and Bills published before introduction in that Council.

GOVERNMENT OF BENGAL.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

• No. 16201., dated Calcutta, the 24th July, 1925.—His Excellency the Governor having been pleased to order, under rule 18 of the Bengal Legislative Council Rules, 1920, the publication of the following Bill, together with the Statement of Objects and Reasons which accompanies it, in the *Calcutta Gazette*, the Bill and the Statement of Objects and Reasons are accordingly hereby published for general information :—

THE BENGAL LOCAL SELF-GOVERNMENT (AMENDMENT) BILL, 1925.

A

BILL

*further to amend the Bengal Local Self-
Government Act of 1885.*

WHEREAS it is expedient further to amend the Bengal Local Self-Government Act of 1885 in the manner hereinafter appearing;

Ben. Act
III of
1885.

Preamble.

It is hereby enacted as follows :—

1. This Act may be called the Bengal Local Self-Government (Amendment) Act, 1925.

Short title.

2. In section 7 of the Bengal Local Self-Government Act of 1885, hereinafter referred to as the said Act, for the third proviso the following shall be substituted, namely :—

Amendment of
section 7 of
Bengal Act
III of 1885.

“ Provided also that no person shall be elected a member of the District Board unless he is qualified for election as a member of some Local Board in the district, in the case of an area in which the Bengal Village Self-Government Act, 1919, is not in force under section 13 of this Act, and in the case of an area in which that Act is in force under sub-section (2) of section 9 of this Act.”

Ben. Act
V of
1919

3. For section 9 of the said Act as in force in areas in which the Bengal Village Self-Government Act, 1919, is not in force the following shall be substituted, namely :—

New section
9 substituted
for section 9

“9. (1) Two-thirds of the members of each Local Board established in a district mentioned in the third Schedule of this Act shall be elected under such rules consistent with this Act, as the Local Government may make for each Local Board in respect of the time and mode of election.

Qualifications of
voters of Local
Boards.

(2) Every male person of the full age of twenty-one years and having a place of residence within the area under the authority of the Local Board,—

(i) who, during the year immediately preceding the election, has paid a sum of not less than one rupee as cess under the Cess Act, 1880, in respect of lands situated wholly or in part within the area under the authority of such Local Board, or

Ben. Act
IX of
1880.

(ii) who, during the year immediately preceding such election, has been assessed at and paid a sum of not less than one rupee as chaukidari-tax, or

**THE BENGAL LOCAL SELF-GOVERNMENT
(AMENDMENT) BILL, 1925.**

(Clauses 4, 5.)

(iii) who is a member of a joint undivided family, which, during the year immediately preceding the election, has paid a sum of not less than one rupee as such cess or tax.

shall be entitled to vote at an election of members of the Board :

Provided that only one member of a joint undivided family qualified under clause (iii) and nominated by the other qualified members of that family shall be entitled to vote on its behalf at any such election."

New section 13 substituted for section 13.

4. For section 13 of the said Act the following shall be substituted, namely :—

Qualification for election as members of Local Boards.

" 13. Every person who is entitled to vote at an election of members of the Local Board and is resident within the area under the authority of the Board, shall be entitled to be a member of the Local Board if duly elected thereto.

Explanation.—A person shall be deemed to be resident within the area under the authority of a Local Board within the meaning of this section if he ordinarily resides within its limit. No person may be so resident within the limits of more than one Local Board at the same time."

Amendment of section 13A.

5. In section 13A of the said Act as in force in areas in which the Bengal Village Self-Government Act, 1919, is not in force, for clause (a) the following shall be substituted, namely :—

Beng. Act
V of
1919.

" (a) determining the mode and time of appointment or election of members of Boards and Committees, the term of office of such members and the registration of voters and candidates, and in the case of District Boards the qualifications and disqualifications of members, and in the case of Union Committees the qualifications and disqualifications of voters and members; and generally for regulating all elections under this Act and determining the authority who shall decide disputes relating to such elections."

STATEMENT OF OBJECTS AND REASONS.

A great waste of time, labour and money is involved in the preparation of separate lists of voters for the Legislative Council, Local Boards and Union Boards. Separate lists are necessary because of the differences in franchise.

It is not within the power of the local legislature to alter the franchise for the Legislative Council so as to make it coincide with that of local

bodies. It is not feasible to require a higher franchise for local bodies since the result would be that some voters would thereby be disfranchised. It is, however, possible to make the franchise uniform for Local Boards and Union Boards. One step will thereby be taken towards elimination of labour in the preparation of electoral rolls. In areas in which Union Boards have been established, the Union Board and Local Board franchises are already identical. This was brought about by the Bengal Village Self-Government Act, 1919, which substituted by item 4 of the amendments to the Bengal Local Self-Government Act of 1885 in Schedule 1 to the Bengal Village Self-Government Act, 1919, a new section for section 9 of the Bengal Local Self-Government Act of 1885. Since this change, in such areas, which may be termed " Union Board areas ", the possession of a clear annual income of Rs. 240 and the educational qualification no longer qualify persons to vote at Local Board elections, while the payment of cess of Re. 1 qualifies in place of the payment of Rs. 2 which was previously necessary.

This Bill is intended to make the franchise of Local Boards in areas in which Union Boards have not been established the same as in Union Board areas. Where Union Boards have not been established the old franchise as laid down in section 9 of the Bengal Local Self-Government Act of 1885 is still in force.

As Union Boards are more widely established, this difference in franchise will automatically tend to disappear; the present Bill will merely accelerate the process. Labour and money in the preparation of voters lists will be saved by rendering the Local Board and Union Board franchise uniform.

KSHAUNISH CHANDRA RAY,

Member-in-Charge.

CALCUTTA

The 22nd July, 1925.

J. BARTLEY,

*Secretary to the Government of Bengal and
Secretary to the Bengal Legislative Council (offg.).*



The Calcutta Gazette

THURSDAY, DECEMBER 10, 1925.

PART-IV.

Bills introduced in the Bengal Legislative Council, Reports of Select Committees presented or to be presented to that Council, and Bills published before introduction in that Council.

GOVERNMENT OF BENGAL.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

No. 3104L., dated Calcutta, the 7th December, 1925.—The following Report of the Select Committee on the Bengal Local Self-Government (Amendment) Bill, 1925, is published for general information. The Bill was published in the *Calcutta Gazette* of the 30th July, 1925 :—

**REPORT OF THE SELECT COMMITTEE ON THE BENGAL LOCAL SELF-
GOVERNMENT (AMENDMENT) BILL, 1925.**

We, the undersigned members of the Select Committee to which the Bill further to amend the Bengal Local Self-Government Act of 1885 was referred, have considered the Bill and have the honour to submit this our report.

A majority of the Committee was of opinion that—

- (1) the effect of the Bill must be the disfranchisement of some portion of the present Local Board electorate; and
- (2) the financial advantages of the proposals would not justify this result.

The Committee, therefore, recommend that the Bill be not further proceeded with.

KSHAUNISH CHANDRA ROY, *Member in charge.*

S. W. GOODE.

ABINASH CHANDRA BANERJEE.

BORODA PROSAD DEY.

BEJOY KRISHNA ROSE.

RAI HARENDRA NATH CHAUDHURI.

MANILOLL SINGH ROY.

*B. N. SASMAL.

SATYENDRANATH RAY CHAUDHURI.

KADER BAKSH.

MAHI UDDIN KHAN.

MUSHARRUF HOSSAIN.

ABANISH CHANDRA RAY.

J. BARTLEY,

*Secretary to the Government of Bengal, Legislative Department, and
Secretary to the Bengal Legislative Council.*

CALCUTTA:

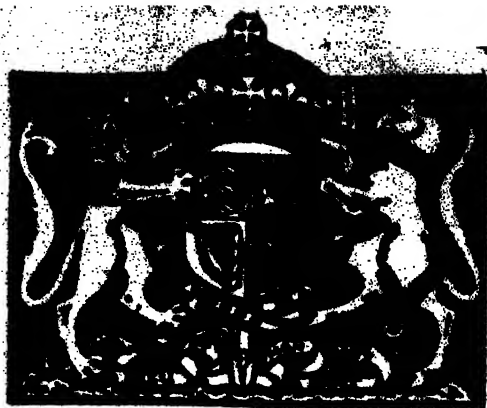
The 7th December, 1925.

* The member signed subject to a note appended.

N.B.—The signatures of Maulvi Abdur Raschid Khan and Maulvi Abul Gafar had not been received at the time of publication of the Report.

Made by Mr. S. N. Sanyal, M.L.S.

In view of the fact that the whole of the Bengal Local Self-Government Act, 1885, is going to be amended soon, I sign this report as drafted by the department.



The Calcutta Gazette

THURSDAY, DECEMBER 17, 1925.

PART IV.

Bills introduced in the Bengal Legislative Council, Report of Select Committees presented or to be presented to that Council, and Bills published before introduction in that Council.

GOVERNMENT OF BENGAL.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

No. 3180L., dated Calcutta, the 11th December, 1925.—The following Bill was introduced in the Bengal Legislative Council on the 4th December, 1925, and is hereby published for general information, together with Statement of Objects and Reasons annexed thereto:—

THE BENGAL FOOD ADULTERATION (AMENDMENT) BILL, 1925.

A

BILL

To amend the Bengal Food Adulteration Act, 1919.

WHEREAS it is expedient to amend the Bengal Food Adulteration Act, 1919, in the manner hereinafter appearing:

It is hereby enacted as follows:—

1. This Act may be called the Bengal Food Adulteration (Amendment) Act, 1925.

2. After section 15 of the Bengal Food Adulteration Act, 1919, the following shall be added, namely:—

“Provided that in the case of an offence committed within a municipality such order or consent shall be valid if made or given by the Chairman of the Commissioners of the Municipality.”

Short title.

Amendment of
Section 15 of
Bengal Act VI
of 1919.

STATEMENT OF OBJECTS AND REASONS.

Section 15 of Act VI of 1919 does not authorize the Chairman of a local authority to exercise powers on its behalf by sanctioning prosecutions for offences under the Act. Each such prosecution requires the order or consent in writing of the local authority concerned. Local authorities ordinarily meet monthly or even less often, and inconvenience is often caused by the necessity of obtaining their sanction to every prosecution instituted under Act VI of 1919. The Howrah Municipality has recently moved Government to amend the Bengal Food Adulteration Act so as to empower the Chairman to sanction prosecutions thereunder, and the present Bill is the outcome of that application. It is proposed to empower only the Chairman of municipalities to exercise the powers of the Commissioners under section 15 of the Act, since prosecutions under this Act will rarely be instituted by other local authorities.

KSHAUNISH CHANDRA RAY,

Member-in-Charge.

CALCUTTA:

The 20th November, 1925.

J. BARTLEY,

*Secretary to the Government of Bengal, Legislative Department,
and Secretary to the Bengal Legislative Council.*

GOVERNMENT OF BENGAL.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

No. 3184L., dated Calcutta, the 11th December, 1925.—The following Bills, in regard to which motions were carried at a meeting of the Bengal Legislative Council held on the 9th December, 1925, that the Bills be circulated for the purpose of eliciting opinion, are published for general information. Expressions of opinion by public bodies or by individuals interested in the Bills should be sent so as to reach the undersigned before the 15th January, 1926 :—

THE BENGAL PHUKA BILL, 1925.

A

BILL

"to prevent the practice of phuka on milch animals.

Preamble.

WHEREAS it is expedient to make further provision for the prevention of the practice of *phuka* on milch animals :

And whereas the previous sanction of the Governor General has been obtained under sub-section (3) of section 80A of the Government of India Act to the passing of this Act :

h. & G. Geo.
V, c. 61, & 4
7 Geo. V, c.
87, & 10
Geo. V, c. 101.

It is hereby enacted as follows :—

Short title and local extent.

1. (1) This Act may be called the *Bengal Phuka Act, 1925*.

(2) It extends in the first instance only to—

(a) Calcutta as defined in clause (11) of section 3 of the Calcutta Municipal Act, 1923,

Ben. Act
117 of 1923

(b) the port of Calcutta, and

(c) the Howrah Municipality.

(3) The Local Government may, by notification in the *Calcutta Gazette*, extend this Act to any place defined in such notification.

Definition of "phuka".

2. In this Act "*phuka*" means any unnatural process of blowing or inserting air or any other substance in the vagina of any milch animal with the intention of thereby drawing off from the animal any secretion of milk.

Power of arrest of any person practising phuka.

3. Any person specially authorised by the Local Government in this behalf who has reason to believe that an offence against section 6 is being committed in respect of any milch animal, may at any time either by day or by night enter any cattle shed or any place where milch animals are kept and may arrest without a warrant any person found by him practising the operation called *phuka* on any milch animal.

(Clauses 4-9.)

Appointment of special officers for the detection of *phuka*.

4. The Corporation of Calcutta may appoint special officers for the detection of *phuka*, who shall have all the powers under section 3.

[Cf. Ben. Act I of 1920, s. 33.]
XLV of 1860.

Persons appointed under sections 3 and 4 to be public servants.

5. Every person appointed under sections 3 and 4 shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

[Cf. Ben. Act I of 1920, s. 4.]

Penalty for practising *phuka*.

6. If any person performs the operation of *phuka* or wilfully or knowingly permits the performance thereof, upon any milch animal he shall be punished with fine which may extend to two hundred rupees or with imprisonment for a term which may extend to six months or with both, and the owner of the milch animal and any person in possession of, or control over it shall be liable to the same punishment.

[Cf. Ben. Act I of 1920, s. 34.]

Indemnity.

7. No suit, prosecution or other legal proceeding shall lie against any person who is, or who has been declared to be, a public servant within the meaning of section 21 of the Indian Penal Code for anything which is, in good faith, done or intended to be done under this Act.

XLV of 1860.

Application of fines.

8. All fines paid or collected under the provisions of this Act shall be kept as a separate fund and paid at the discretion of the Local Government towards the upkeep and support of any officers appointed under the provisions of sections 3 and 4.

Repeal of section 5A of Ben. Act I of 1869.

9. Section 5A of the Bengal Cruelty to Animals Act, 1869, as amended by the Bengal Cruelty to Animals Act, 1900, is hereby repealed in areas to which this Act extends.

[Ben. Act I of 1869, s. 5A.]
Ben. Act I of 1900, s. 111.

STATEMENT OF OBJECTS AND REASONS.

The Bill is intended to stop the practice of *phuka* by providing for closer supervision of such cases and by imposing more deterrent punishment. The Bengal Cruelty to Animals Act, 1920 (Ben. Act I of 1920) did introduce some wholesome provisions against the practice of *phuka* but that Act has not up to now, been enforced; the introduction of this Bill has therefore become necessary. This unnatural and cruel process on cows is being practised daily in about 1,000 cattle sheds in Calcutta and the suburbs alone; some such measures are, therefore, required for the prevention of so pernicious a practice, thereby saving useful cattle, mostly milch cows, which owing to such ravages, are rendered sterile and unserviceable for the future, which causes the eventual diminution of milk and milk products.

H. W. B. MORENO.

Member in charge.

CALCUTTA:

The 24th June, 1925.

THE BENGAL PASTURE BILL, 1925.

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THE BENGAL PASTURE BILL, 1925.

BILL

to provide for Pasture Lands in Bengal.

Preamble.

WHEREAS it is expedient to make provision for the acquisition, recovery, protection and management of pasturages in Bengal;

And whereas the previous sanction of the Governor General has been obtained under sub-section (3) of section 80A of the Government of India Act, to the passing of this Act:

It is hereby enacted as follows :—

5 & 6, Geo.
V, c. 61;
6 & 7, Geo.
V, c. 87;
9 & 10,
Geo. V,
c. 101.

CHAPTER I.

Preliminary.

Short title, local extent and commencement.

1. (1) This Act may be called the Bengal Pasture Act, 1925.

(2) It extends to the whole of Bengal.

(3) It shall come into force on such date as the Local Government may, by notification in the *Calcutta Gazette*, direct.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context,—

(1) "land at the disposal of Government" means all unoccupied land, whether assessed or unassessed, and all land which was used formerly for pasture but has subsequently been encroached; and

(2) "cattle" means bulls, buffaloes, cows, bullocks, calves and heifers.

CHAPTER II.

Extent and Acquisition of Pasturage.

Power to constitute pasturages.

3. The Local Government may constitute any land at the disposal of Government to be pasturage in the manner hereinafter provided.

Notification by Government.

4. Whenever it appears to the Local Government that land in any locality is likely to be needed for the purpose of pasturage, a notification to that effect shall be published in the *Calcutta Gazette*—

(a) specifying, as nearly as possible, the situation and boundaries of such land;

(Clauses 5-7.)

- (b) declaring that it is proposed to constitute such land as pasturage; and
- (c) directing the Collector of the District in which such land is situated to inquire into and determine the existence, nature and extent of any rights claimed by, or alleged to exist in favour of, any person in or over any land comprised within such boundaries and to deal with the same as provided in this chapter.

Proclamation
and notice by
Collector.

5. (1) When a notification has been issued under section 4, the Collector shall cause to be published a proclamation by posting a copy thereof—

- (a) at the headquarters of each district in which any portion of the land included in such notification is situate;
- (b) at every subdivisional office, police-station, munsif's court and sub-registrar's office within the jurisdiction of which any portion of the land is situate;
- (c) at one or more *mal-cutcherries* on each estate; and
- (d) at such other place or places as to the Collector may seem fit:—
 - (i) specifying, as nearly as possible, the situation and boundaries of the land proposed to be included within the pasturage;
 - (ii) explaining the consequences which, as hereinafter provided, will ensue on the reservation of such land as pasturage; and
 - (iii) fixing a period not less than a month and not more than two months from the date of publishing such proclamation, and requiring every person claiming any right referred to in clause (c) of section 4, either to attend his court in person, within such period, or to put in a written statement, within such period, of the nature of such right, and in either case to produce all documents in support thereof.

(2) The Collector shall also serve a notice to the same effect on every known or reputed owner or occupier of any land included in or adjoining the land proposed to be constituted as pasturage, or on his recognised agent or manager.

Bar of accrual
of rights.

6. During the interval between the publication of such proclamation and the date fixed by the notification under section 11, no right shall be acquired in or over the land included in such proclamation.

Inquiry by
Collector.

7. The Collector shall take down in writing all statements made under section 5 and shall inquire into all claims made under that section, recording the evidence in the manner prescribed by the Code of Civil Procedure, 1908.

(Clauses 8-13.)

8. For the purposes of such inquiry, the Collector may exercise the following powers, namely :—

- (a) the power to enter, by himself or by any person authorised by him in writing in this behalf, upon any land and to survey, demarcate and prepare a map of the same; and
- (b) the powers conferred on a Civil Court by the Code of Civil Procedure, 1908, for compelling the attendance of witnesses and the production of documents.

V of 1908.

Claims to rights.

9. (1) In case of a claim to a right in or over any land other than the following rights :—

- (a) a right of way,
- (b) a right to water-course, or to the use of water,

the Collector shall pass an order specifying the particulars of such claim and admitting or rejecting the same wholly or in part.

(2) If such claim is admitted wholly or in part, the Collector shall either —

- (a) come to an agreement with the claimant for the surrender of the right; or
- (b) proceed to acquire such land in the manner provided by the Land Acquisition Act, 1894

I of 18.4.

Claims to, be rejected

10. (1) In the case of a claim to rights specified in clauses (a) and (b) of sub-section (1) of section 9 the Collector shall reject such claim wholly

(2) No appeal shall lie against any order rejecting a claim of the kind specified in clauses (a) and (b) of sub-section (1) of section 9.

Notification declaring the land as pasturage

11. When

- (a) the period fixed under clause (iii) of sub section (1) of section 5 for preferring claims has elapsed, and
- (b) all proceedings prescribed by section 9 have been taken,

the Local Government shall publish a notification in the *Calcutta Gazette*, specifying the boundaries of the land to be made pasture land and declaring the same to be reserved for pasturage from a date to be fixed by such notification; and from the date so fixed such land shall be deemed to be reserved for pasturage

Acquisition by local authorities.

12. It shall be lawful for a local authority, with the approval of the Local Government, to apply its funds from time to time for acquiring by purchase or by lease or under the provisions of the Land Acquisition Act, 1894, suitable lands in well distributed centres for the purposes of pasturages for the cattle within its local limits.

Power to levy tax by local authorities.

13. For the purpose of acquiring pasture lands, a local authority shall have power to levy an annual tax not exceeding a half per cent. of the annual value of all lands and buildings within its jurisdiction for a period not exceeding five years, or where a tax on land or buildings is not levied, a local authority may levy a surcharge

Journal of

Provided that a local authority shall not levy any tax or surcharge on lands or buildings with an annual valuation of fifty rupees or less.

14. All sums forfeited under section 18C of the Bengal Tenancy Act, 1885, shall be utilised in acquiring pasturages in pursuance of the notification published under section 4.

VIII of
1885.

1. 2. 3.

15. It shall be the duty of the Collector of a district to recover all lands duly recorded as pasture in any settlement *Chitta* or in any survey paper or other record of rights.

16. All settlement officers shall, at every settlement operation, inquire as to which lands were formerly and are at the time of such operation used for grazing purposes as pastured lands and shall record the areas, boundaries, and full specifications of all such lands.

The settlement officers shall also reinstate all lands admitted to be pasture lands.

17. Every settlement officer shall inform the Collector if in the course of any such inquiry he is of opinion that a particular plot of land is or was in all probability pasture land though disputed by the local people or by the reputed owner.

Such information shall give full specifications of the land, and upon such information the Collector shall, with the previous approval of the Local Government, proceed to recover such land.

* 18. In all survey operations it shall be the duty of the survey officers to record all pasture lands and demarcate them from the rest.

19. Five or more persons living in a locality, after taking the previous permission of the Local Government, may proceed in the manner hereinafter appearing to recover any land which they allege to be pasture land.

20. All recovery of pasture lands under section 19 shall be by means of an application to the Collector who shall as soon as possible, after giving due notice to the persons possessing the lands and to the reputed owners thereof, hear the application, take evidence if necessary, scrutinise all documents and pass orders.

21. No limitation shall run against applications for the recovery of pasture under the provisions of this chapter.

**No limitation
for recovery**

(Clauses 22-29.)

Revision by
High Court.

22. No appeal shall lie against the decision of the Collector under section 20; but the High Court may, for special reasons, exercise powers of revision against the decisions of the Collector under section 115 of the Code of Civil Procedure, 1908.

V of 114, 6.

CHAPTER IV.

Maintenance and Management of Pasturages.

Pasture lands
to vest in
village Board.

23. All lands acquired or recovered as pasture lands or subsequently added thereto, except such as are acquired by a local authority under the provisions of section 12, shall vest in a village Board which shall be constituted in the manner provided in section 24.

Constitution of
village Board.

24. The village Board shall consist of seven persons of one village or more than one village as the case may require, three to be nominated by the Sub-divisional officer of the sub-division in which the village is situate and the rest to be appointed by the local authority having jurisdiction over the area or in default thereof by the Sub-divisional officer.

Powers of village
Boards over
pasture lands.

25. All pasture lands situated in one village shall vest in the village Board who shall have full powers of control and management of such lands subject to the provisions of this chapter.

Grazing fees.

26. (1) It shall be lawful for a village Board to levy such grazing fees as may be prescribed from time to time by the Board with the approval of the Local Government.

(2) All rules made under sub-section (1) shall be posted up in a conspicuous position at the office of that village Board and in such other public places as the village Board may direct.

Secretary to
collect grazing
fees and to keep
accounts.

27. The village Board shall appoint one of their number as Secretary, and his duties shall be to collect all grazing fees, grant receipts for the same, to keep accounts of collections and expenditure of money and to send regularly quarterly accounts within fifteen days from the end of each quarter to the Sub-divisional officer.

Application
of money.

28. All sums levied by the village Board under section 26 may at the discretion of the board be applied for all or any of the following purposes, namely:—

(a) for purchasing grass roots, fodder seeds and seedlings for cultivation on the village pasture;

(b) for raising fodder crops and grasses;

(c) for the collection of dues; and

(d) generally for the protection and maintenance of pasture land vested in the village Board.

Number of
cattle to be
grazed.

29. Each village Board shall allow a limited number of village cattle to graze on the portion or portions of the village pasture whereon grass has been

(Classes 30-36.)

grown or natural grass has grown but not on the portion where fodder crops have been cultivated; and shall determine the number of cattle that shall be allowed from time to time to graze on such portions.

Fodder crops.

30. Fodder crops raised by the village Board from the village pasture shall be sold at public auction to the highest bidder and the amount so realised shall be dealt with in accordance with the provisions of section 28.

Revenue free
or rent free.

31. All pasture lands acquired or recovered under the provisions of this Act shall be free from revenue and rent of all kinds.

Vesting of
pastures in local
authorities.

32. All lands acquired by a local authority under the provisions of section 12, shall be under the control of that authority and shall be subject to the provisions contained in sections 26, 28, 29 and 30.

CHAPTER V.

On the reservation of forest areas for pasturage.

Forest areas to
be opened
for grazing.

33. Forest areas close to inhabited areas shall be forthwith opened for free grazing of cattle and the Local Government shall issue notifications from time to time defining areas reserved for free grazing.

CHAPTER VI.

Records and Registers.

Register of
pasturage.

34. It shall be the duty of every village Board and of every local authority to maintain a register of all pasture lands showing—

- (1) the area of such lands;
- (2) their boundaries;
- (3) the name of the village in which they are situated;
- (4) the plot number, the survey number and the *Chitta* number;
- (5) the rate of grazing fees and the amount realised every year;
- (6) the number of cattle allowed to graze daily; and
- (7) the total number of cattle of different kinds that grazed during the year.

Copy of register
to be sent to
Sub-Divisional
Officer for
publication.

35. A copy of the register prepared under section 34 shall be sent at the end of every year to the Sub-Divisional Officer who shall cause it to be published in the *Calcutta Gazette*.

Register in
every district

36. Every Collector shall maintain a permanent record of all pasture lands in his district in which all additions and alterations shall be noted. It shall be kept open for inspection by the public every day at such hours as the Collector may prescribe.

(Clauses 37-40.)

List of pasturages
by settlement
and survey
officers.

37. All settlement officers and survey officers shall, in preparing the record of settlement and survey make a separate list of pasturages showing all the details mentioned in section 34 which shall be regularly published at the end of each settlement or survey operation.

CHAPTER VII.

*Miscellaneous.*Punishment for
encroachment.

38. If any pasture land, constituted or recovered under the provisions of this Act, is encroached on by any person, the Secretary of the village Board or the local authority within whose limits such pasture lands are situate shall institute proceedings before a Magistrate having jurisdiction in the locality, who on the offence being proved, shall convict and sentence the person to pay a fine which may extend to two hundred and fifty rupees.

The Magistrate shall, in case of conviction, order payment of compensation to the village Board or to the local authority out of the ~~fine~~ as may appear to him just considering the cost incurred by that village Board or local authority.

Realisation of
fine.

39. In case of non-payment, the fine may be realised by any of the processes laid down in the Code of Criminal Procedure, 1898, and the amount of compensation ordered under section 38 shall, on realisation be paid to the village Board or to the local authority, as the case may be. V of 1896.

Rules.

40. (1) The Local Government may make rules to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power such rules may prescribe—

- (1) the form of keeping accounts;
- (2) the form of receipts to be granted to payees;
and
- (3) the form in which the extent, situation and boundaries, etc., of pasture lands are to be kept.

STATEMENT OF OBJECTS AND REASONS.

The Bill intends to secure the right of pasturage in lands formerly used as such but since encroached for cultivation or otherwise. The need for such a measure will be apparent on reading cattle census reports and settlement reports of various provinces which complain of the serious want of pasturage and encroachment of land for cultivation. Similarly one of the causes ascribed for the deterioration of cattle of this country has been the gross inadequacy of pasture land which is also considered to be a circumstance adverse to cattle breeding. The grazing that exist in this country now are very poor both in quality and in quantity. The proportion of grazing lands to the total land area of India is the minimum of all the countries being 1: 27, whereas the proportion in Japan is 1: 6, in Germany 1: 6, in New Zealand 1: 3. The great shortage of pasture land will also be apparent from a comparison of the number of acres that is available for grazing per head of cattle in different countries. It is only 17 in Bengal and a little more in other provinces in India, 16 in the United States of America, 135 in New Zealand and 144 in Germany.

H. W. B. MORENO,

Member-in-charge.

CALCUTTA;

The 24th June, 1925.

THE CALCUTTA RENT (AMENDMENT No. II) BILL, 1925.

A.

BILL

further to amend the Calcutta Rent Act, 1920.

WHEREAS it is expedient further to amend the Calcutta Rent Act, 1920, in the manner hereinafter appearing;

And whereas the previous sanction of the Governor General has been obtained under sub-section (3) of section 80 A of the Government of India Act to the passing of this Act;

It is hereby enacted as follows :—

1. This Act may be called the Calcutta Rent (Amendment No. II) Act, 1925.

2. In clause (e) of section 2 of the Calcutta Rent Act, 1920 (hereinafter referred to as the said Act), after the words "part of a building" the words "whether furnished or unfurnished" shall be inserted.

3. In section 11 of the said Act,—

(1) in sub-section (1), for the words "so long as the tenant pays rent to the full extent allowable by this Act, and performs the conditions of the tenancy" the following shall be substituted, namely :—

"so long as the tenant pays the standard rent fixed by the Controller or, if no such rent has been fixed, the rent payable under sub-clause (i) or sub-clause (ii) of clause (f) of section 2."

(2) after the proviso to the same sub-section the following shall be inserted, namely :—

*Explanation (1).—*A landlord shall not be deemed to require any premises for his own occupation or for the occupation of any other person unless the landlord can prove that he or the person for whose occupation the premises are alleged to be required, as the case may be, is prevented by circumstances beyond his control from continuing to reside in the house in which he has hitherto been residing.

*Explanation (2).—*No premises shall be deemed to be required for building or re-building purposes within the meaning of this proviso unless the Controller shall certify that the same are in such a dilapidated condition as to be unfit for occupation and that they cannot be made fit for occupation without unreasonable expenditure."

Short title.

Amendment of section 2 of Ben. Act III of 1920.

Amendment of section 11.

Ben. Act III of 1920.

5 & 6, Geo. V. c. 61; 6 & 7, Geo. V. c. 37; 9 & 10, Geo. V. c. 101.

(Clause 4.)

(3) to sub-section (4) the following shall be added, namely :—

“ A deposit under this sub-section shall operate as a full acquittance to the extent of the amount deposited.”

(4) for sub-section (5) the following shall be substituted, namely :—

“(5) No tenant shall be entitled to the benefit of this section in respect of any premises unless he pays to his landlord or deposits with the Controller the standard rent fixed for the premises or if no such rent has been fixed the rent payable under sub-clause (i) or sub-clause (ii) of clause (f) of section 2, within the time fixed in the contract with his landlord, or in the absence of any such contract, by the fifteenth day of the month next following that for which the rent is payable :

Provided that a tenant shall not lose the benefit of this section if he pays to his landlord or deposits with the Controller the rent payable under this sub-section before any suit for ejection is instituted in any court, by the landlord against him, or, when the standard rent is fixed by the Controller at a sum greater than the amount deposited, the tenant deposits the difference within a month of the Controller's decision.”

Amendment of
section 15.

4. In section 15 of the said Act,—

(1) for clause (b) of sub-section (3) the following shall be substituted, namely :—

“(b) where the premises are let furnished or with other conveniences.”

(2) after proviso (ii) to sub-section (3) the following shall be inserted, namely :—

“(iii) notwithstanding anything contained in sub-clause (i) of clause (f) of section 2 the standard rent of any premises which form part of a building shall be fixed at a fair proportion of the rent which is, or which in the opinion of the Controller would be, the standard rent of the whole building if the provisions of this Act applied to the whole building;

(iv) in the case of premises let furnished, or with other conveniences, the Controller shall assess the standard rent for the premises and also a fair sum for the furniture or other conveniences separately, and the aggregate shall be deemed to be the standard rent so long as the tenant retains the furniture or the conveniences.”

(3) after sub-section (6) the following shall be inserted, namely :—

“(7) An application under this section shall not be liable to be dismissed on the ground that

(Clause 5.)

the relationship of landlord and tenant has ceased subsequently to the application, but an application by a tenant under this section shall be dismissed when the Controller finds that the applicant has omitted to pay to his landlord or to deposit with the Controller the rent payable by him under sub-section (5) of section 11."

Insertion of new
section 27

5. After section 26 of the said Act the following shall be inserted, namely :—

" 27. Notwithstanding anything contained in sub-section (2) of section 2 of the Calcutta Rent (Amendment) Act,

Jurisdiction of the Controller and the President of the Tribunal in certain cases.

Ben. Act
I of 1924.

1924, the Controller and the President of the Tribunal shall continue to exercise the jurisdiction conferred on them, respectively, by this Act, in all cases pending before them on the 31st day of March, 1924, relating to premises the rent of which exceeded two hundred and fifty rupees a month on the first day of November, 1918, and they shall for this purpose grant all applications for the restoration of any such cases that may have been dismissed since the 31st day of March, 1924, if such applications are presented to them within three months from the commencement of the Calcutta Rent (Amendment No. II) Act, 1925."

STATEMENT OF OBJECTS AND REASONS.

The object of this Bill is to rectify some anomalies of the Calcutta Rent Act, 1920, and to remove some ambiguities in its wording which have led the President of the Tribunal and the High Court to interpret some of the sections in a way that has to a great extent been prejudicial to the objects of the Act itself.

At the time of the introduction of the Calcutta Rent (Amendment) Bill of 1924 in the January session of the Bengal Legislative Council by which the operation of the Act in respect of premises the rent of which did not exceed Rs. 250 in November 1918 was extended till the end of March 1927, the mover undertook to bring in a Bill later on to remove the defects of the Act. The principal amendments have been necessitated by the following circumstances :—

(a) The President of the Tribunal held that when part of a building is separately let for the first time it is a case of " first letting " within the meaning of section 2 (f) (ii). This has, however, been held by the High Court to be wrong in the case *Roberro vs. Jacob* reported in 27 C.W.N., p. 569.

(b) In the case of *Wells vs. Dickinson* reported in 28 C.W.N., p. 774, Mr. Justice Buckland held that when a house is let furnished the Controller or the Court cannot interfere with the amount which the parties fixed as rent because it includes the hire of furniture which is not rent payable for the premises as defined in section 2 (c).

(c) Again in the case of *Buckland vs. Grace* reported in 26 C.W.N., p. 678, Mr. Justice Buckland held that a tenant who had once made default in paying his rent was for ever deprived of the benefits of the Act by reason of section 11 (5) although the rent had been subsequently paid and the landlord had accepted it.

(d) In many cases landlords have abused the provisions of the proviso to section 11 (1) and obtained decrees for ejectment on the pretext of requiring premises for their own occupation or for rebuilding. In the case of *R. M. Chatterjee vs. D. O. C. Ryan* the High Court has held that the Court cannot question the landlord's *bona fides* if he simply produces an Engineer's certificate that the house requires to be rebuilt.

These interpretations of the various sections have enabled middlemen, profiteers and unscrupulous landlords to evade the provisions of the Act.

Doubts have also arisen as to the jurisdiction of the Controller and the President of the Tribunal in respect of premises which have been excluded from the operation of the Act by the Calcutta Rent (Amendment) Act, 1924 (Bengal Act. I of 1924).

The present Bill aims at removing these defects and anomalies.

H. W. B. MORENO,

Member in charge.

CALCUTTA:

The 24th June, 1925.

J. BARTLEY,

*Secretary to the Government of Bengal, Legislative Department, and
Secretary to the Bengal Legislative Council.*

GOVERNMENT OF BENGAL.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

No. 3182L., dated Calcutta, the 11th December 1925.—The following Bills were introduced in the Bengal Legislative Council on the 9th December, 1925, and are hereby published for general information, together with Statements of Objects and Reasons annexed thereto :—

**THE BENGAL FISH FRY PRESERVATION
BILL, 1925.**

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PRELIMINARY.

CLAUSE—

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2. Definitions.

CHAPTER II.

PREVENTION OF DESTRUCTION OF FISH FRY.

3. Prohibition of catching fish fry except for purposes of cultivation.
4. Prohibition of killing, etc., fish fry.
5. Penalty.

CHAPTER III.

PROCEDURE FOR TAKING COGNIZANCE OF OFFENCES
UNDER THIS ACT.

6. Power to arrest without warrant.
7. Power to make rules.

THE BENGAL FISH FRY PRESERVATION BILL, 1925.

BILL

*for the preservation of certain kinds of fish fry
in Bengal.*

Preamble.

WHEREAS it is expedient to provide against the destruction of certain kinds of fish fry in Bengal;

AND WHEREAS the previous sanction of the Governor General has been obtained under section 80A, sub-section (3), of the Government of India Act, to the passing of this Act;

5 & 6 Geo.
V, c. 61; 6 & 7
Geo. V, c. 37;
9 & 10 Geo. V,
c. 101.

It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

Short title,
local extent and
commencement.

1. (1) This Act may be called the Bengal Fish Fry Preservation Act, 1925.

(2) It extends to the whole of Bengal except the town of Calcutta.

(3) It shall come into force in such districts or such parts of districts and on such dates as the Local Government may, by notification in the *Calcutta Gazette*, direct.

Explanation.—The words "the town of Calcutta" mean the area within the local limits of the ordinary original jurisdiction of the High Court of Judicature at Fort William in Bengal:

Provided that this Act shall not come into force in any cantonment without the sanction of the Governor General in Council previously obtained.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context,—

(1) "fish" means any fish of the kinds known as Taki (also called Lati or Goral or Chang) Shoil and Gazar and Ahir, Rohit, Katal and Marigal and Kai;

(2) "fry" means the offspring of fish which live in shoals during the months of *Baisakh*, *Jaishtha* and *Asharh*; and

(3) "private waters" means ponds tanks, wells—

(a) which are the exclusive property of any person, or

(b) in which any person has an exclusive right of fishery and in which fish are not confined but have means of ingress or egress.

(Clauses 3—7.)

CHAPTER II.

PREVENTION OF DESTRUCTION OF FISH FRY.

Prohibition of catching fish fry except for purposes of cultivation.

3. No person shall during the months of *Baisakh* to *Asharh*, B.S., catch fish fry for any purpose other than fish cultivation by means of any net, cage, trap or other contrivance from any navigable or silted-up river, *beel*, *khal* or other waters except private waters where fry develop, or do anything which has the effect of appreciably reducing the number of fry or of destroying them.

Prohibition of killing, etc., fish fry.

4. No person shall kill, use or sell as an article of human consumption fish fry either privately or in any market or fair or in any other place:

Provided that the catching, selling or purchasing of fish fry for the purpose of fish cultivation or anything done accidentally, which tends to diminish or in any way affect the growth of fish fry, shall not be an offence under this Act.

Penalty.

5. Any person catching or killing fish fry, or using or selling them for any purpose other than that of fish cultivation, shall be liable to a fine which may extend to ten rupees or, in default of payment of the fine, to simple imprisonment for a period not exceeding three days.

CHAPTER III.

PROCEDURE FOR TAKING COGNIZANCE OF OFFENCES UNDER THIS ACT.

Power to arrest without warrant.

6. (1) Any officer-in-charge of a police-station or any person or authority authorised by the Local Government by notification in this behalf may without warrant arrest any person committing an offence under this Act and send him for trial before any Court authorised by the Local Government by notification in the *Calcutta Gazette* in this behalf: provided that the name and address of the person are unknown to such officer, and that the person declines to give his name and address or there is reason to doubt the accuracy of the name and address given by such person.

(2) No person so arrested shall be detained longer than may be necessary for bringing him before a Magistrate, except under the order of a Magistrate.

Power to make rules.

7. The Local Government may make rules under this Act for the punishment of offenders and for the better preservation of the fish fry.

STATEMENT OF OBJECTS AND REASONS.

THIS Bill has been introduced to put a stop to the destruction of fish fry in Bengal. Fishes are daily becoming scarce and have now-a-days become almost a luxury, and not a necessity, as they were in former days. The population of the province is gradually increasing and the supply of fish has failed to keep pace with the rapid growth of the population. In this province fish is one of the chief articles of consumption, nay—it is an indispensable article of food to the Bengalees. Beels and navigable rivers are being gradually silted up, while new tanks are not being excavated in large numbers as before. There being no law for the preservation of fish fry, they are being destroyed wantonly. These fry, if they can be preserved, will be able to increase the supply of fish gradually, and remove one of the chief wants of the Bengalees. An Act on these lines has become an urgent necessity, and hence it is introduced.

Section 1.—Gives the designation and the scope of the Act.

Section 2, clause 2.—Fish fry come into being from the month of *Baisakh* every year and are not developed till the month of *Asharh*, as they flock together till that time, and hence, for the protection of these undeveloped fry, this definition has been inserted.

Section 3.—Fish fry are caught or destroyed and are sometimes used as articles of human consumption, even in this undeveloped state. To prevent this, this section has been inserted.

Section 4.—To prevent the fish fry from being sold as an article of consumption or for trade purposes, this section has been introduced.

But selling these fish fry for fish cultivation in other-waters has been made an exception.

Section 5.—Unless some provision for punishment is made in this Act, the practice of destroying fry will not be put a stop to; to put a stop to this practice effectively provision has been made for a light punishment, i.e., to levy a fine which may not exceed Rs. 10 or in default 3 days' simple imprisonment on those committing any act towards destroying the fish fry or reducing their number.

Section 6.—Provision has been made in this section for means of bringing the offenders to book promptly.

Section 7.—In this section, provision is made for better administration and justice.

SHAH SYED EMDADUL HUQ,

Member-in-charge.

CALCUTTA ;

The 12th October, 1925

THE BENGAL CATTLE BILL, 1925.

A
BILL

to provide for the protection of cattle in Bengal.

Preamble.

WHEREAS it is expedient to provide for the protection of cattle and for the protection and maintenance of breeding bulls in Bengal, especially Brahmini bulls and Khodai bulls;

It is hereby enacted as follows:—

Short title,
local extent and
commencement.

1. (1) This Act may be called the Bengal Cattle Act, 1925.

(2) It extends to the whole of Bengal.

(3) It shall come into force on such date as the Local Government may, by notification in the *Calcutta Gazette*, direct.

2. In this Act, unless there is anything repugnant in the subject or context,—

(1) "*Brahmini* bull" means a bull dedicated to the public by a Hindu in a funeral or other religious or ceremonial occasion;

(2) "epizootic disease" means diseases which come to one part of the country from another which affect a great many animals at the same time and behave as epidemic diseases do in human subjects;

(3) "*Khodai* bull" means a bull dedicated to the public by a Muhammadan in any religious, ceremonial or other occasion;

(4) "cattle" means and includes a cow, heifer, bull, bullock, calf, he-buffalo, she-buffalo, and buffalo-calf;

(5) "local authority" means any authority legally entitled to the control or management of any local or Municipal fund;

(6) "notification" means a notification published in the *Calcutta Gazette*.

Penalty for
unlawfully selling
cattle having epi-
zootic disease.

3. Whoever knowingly sells or keeps for sale or gives in pledge any cattle having epizootic disease shall be punished with fine which may extend to twenty-five rupees or with imprisonment for a term which may extend to one month or with both.

Penalty for kill-
ing or poisoning
etc., of Brahmini
or Khodai bulls.

4. Whoever kills, poisons, maims, renders useless a *Brahmini* or *Khodai* bull or uses such animal for any purpose other than for breeding shall be punished with imprisonment for a term which may extend to two years or with fine which may extend to five hundred rupees or with both.

(Clauses 5—9.)

Nothing in this section shall apply to a police officer above the rank of sub-inspector who on receipt of proper information and on his being satisfied that a *Brahmini* or *Khodai* bull is dangerous to a locality or to the residents of a locality, destroy the same, provided that he shall submit to the local authority concerned his reasons in writing for so doing within three days after the occurrence.

Maintenance of a minimum number of stud-bulls by a local authority.

5. (1) Every local authority shall maintain or cause to be maintained within its jurisdiction a minimum number of stud-bulls as may be prescribed by the Local Government and shall lend stud-bulls for service to the cattle of the locality under such terms and conditions as may be prescribed by such authority in the rules made under this Act.

(2) Notwithstanding anything contained in any other law it shall be lawful for such authority to allot a portion of its fund for the purpose of maintenance of such stud-bulls; and the local authority shall allot for such purpose one-fourth of all monies received in the area within its jurisdiction under the Cattle Trespass Act, 1871.

1 of 1871.

Power to local authority to take possession of *Brahmini* or *Khodai* bulls.

6. A local authority may, for the purpose of section 5, take possession of *Brahmini* or *Khodai* bulls. A register shall be maintained by a local authority of all bulls taken possession of by such authority under this section.

Grants to any person by local authority for the purchase and maintenance of stud-bulls.

7. It shall be lawful for a local authority to make suitable grant or grants to any person or persons from its funds for the purchase and maintenance of stud-bulls to be kept within the local limits of its jurisdiction and under such terms and conditions as may be prescribed by such authority from time to time by rules made under this Act.

Power to Local Government to fix the number of stud-bulls for a local authority.

8. The Local Government shall after consideration of the views of a local authority, by notification, fix the minimum number of stud-bulls to be maintained by such authority.

Power to make rules.

9. (1) A local authority may, with the previous sanction of the Local Government, make rules—

- (a) prescribing the terms and conditions for lending any stud-bull for breeding purposes to any person or persons or other local authorities;
- (b) prescribing the terms and conditions of a grant under section 7;
- (c) prescribing fees for services rendered by its stud-bulls and for the levy of such fees;
- (d) for the proper up-keep, maintenance and periodical inspection and medical examination of stud-bulls; and
- (e) generally for carrying out the purposes of this Act.

(2) Rules made under this section shall be posted up in a conspicuous position at the office of such local authority, and in such other public places as that local authority may direct.

STATEMENT OF OBJECTS AND REASONS.

The Bill intends in the main to make provision for the protection and maintenance of *Brahmini* bulls by local authorities. The need of adequate and suitable stud-bulls is being keenly felt in the Province. The *Brahmini* and *Khodai* bulls which helped to serve the purpose of breeding have now become scarce, and the *res-nullius* judgments of the Calcutta High Court reported in I. L. R. Calcutta, Vol. 17, page 852, goes to prove that the destruction and diversion to other purposes of such bulls can be carried on with impunity. There is no special provision in the Local Self-Government Acts enjoining the maintenance of stud-bulls by local bodies especially for breeding purposes. Provision has been made in this Bill for rectifying the existing defects in Legislature concerning cattle and cattle breeding.

H. W. B. MORENO.
Member-in-charge.

CALCUTTA :
The 15th October, 1925.

THE BENGAL VILLAGE SELF-GOVERNMENT (AMENDMENT BILL, 1925.)

A BILL

*to amend the Bengal Village Self-Government Act,
1919.*

WHEREAS it is expedient to amend the Bengal Village Self-Government Act, 1919, in the manner hereinafter appearing;

Ben. Act V
of 1919.

It is hereby enacted as follows:—

Short title.

1. This Act may be called the Bengal Village Self-Government (Amendment) Act, 1925.

Amendment
of section 5 of
Bengal Act V
of 1919.

2. Section 5 of the Bengal Village Self-Government Act, 1919 (hereinafter referred to as the said Act), shall be renumbered as section 5, sub-section (1), and after sub-section (1) the following shall be added, namely:—

“(2) The Local Government may also re-distribute the local area of any such union after consulting the views of the district board and the local boards within the jurisdiction of which such union is situated. The district board may itself recommend such re-distribution to the Local Government.”

Amendment
of section 6.

3. In sub-sections (3) and (4) of section 6 of the said Act, for the words “district magistrate” the words “district board” shall be substituted.

Amendment
of section 7.

4. In section 7 of the said Act,—

(a) in clause (i) of sub-section (1), for the words “the year immediately” the words “any year” shall be substituted; and

(b) in clauses (i), (ii) and (iii) of sub-section (1) for the words “one rupee” the words “eight annas” shall be substituted.

Amendment
of section 12.

5. After sub-section (1) of section 12 of the said Act, the following shall be inserted, namely:—

“Provided that before a member of a union board is removed from his office under clause (d) or clause (e) of sub-section (1) he shall be given an opportunity of explaining the charges made against him:

Provided also that an appeal shall lie to the commissioner of the division against any such order of removal within thirty days from the date of the order.”

Amendment
of section 16.

6. In section 16 of the said Act, after clause (iii) of sub-section (1), the following shall be inserted, namely:—

“Provided that before a President of a union board is removed from office he shall be given an opportunity of explaining the charges made against him:

Provided also that an appeal shall lie to the commissioner of the division against any such order of removal within thirty days from the date of the order.”

(Clauses 7—14.)

Amendment
of section 21.

7. In sub-section (1) of section 21 of the said Act, for the words "from time to time by the district magistrate after consideration of the views of the union board" the words "by the union board or by an advisory board (to be composed for this purpose of members elected, one from each thana) subject to the approval of the district magistrate," shall be substituted.

Amendment
of section 27.

8. In section 27 of the said Act,—

- (a) in clause (r) of sub-section (1), after the words "or jungle" in the two places where they occur, the words "or water-hyacinth" shall be inserted; and
- (b) in sub-section (3), for the words "fifteen days" the words "thirty days" shall be substituted.

Amendment
of section 28.

9. In sub-section (4) of section 28 of the said Act, for the words "fifteen days" the words "thirty days" shall be substituted.

Amendment
of section 31.

10. At the end of clause (d) of section 31 of the said Act, the words "and also re-open closed public *hqlots*," shall be added.

Amendment
of section 32.

11. In section 32 of the said Act, after the words "establish primary schools or dispensaries" the words "or engage medical practitioners such as Kabi-rajcs, Hakims and Homœopathic doctors, with a supply of medicines for distribution," shall be inserted.

Amendment
of section 34.

12. In sub-section (3) of section 34 of the said Act, for the words "district magistrate" the words "district board" shall be substituted.

Amendment
of section 37.

13. In section 37 of the said Act, after the words "within the union" the words "and on the owner of any estate of tenure or part or share thereof or of any portion of the lands or buildings which are within the union" shall be inserted.

Amendment
of section 38.

14. In section 38 of the said Act,—

(1) after the proviso to sub-section (1) the following shall be added, namely:—

Provided also that the amount assessed upon any person in any one year in respect of more than one union shall not exceed—

(i) forty rupees in respect of each of two or of three unions; and

(ii) thirty rupees in respect of each of four or of more unions."

(2) for sub-section (2) of section 38 the following shall be substituted, namely:—

"(2) A cultivator, who earns his bread exclusively by cultivation, possessing an area of land less than five acres or any other professional man earning less than a hundred rupees annually shall be exempted from the *chaukidari* tax."

(Clauses 15—18.)

Amendment
of section 40.

15. In section 40 of the said Act, after the words "district magistrate" the words "or the chairman of the district board subject to the approval of the district board" shall be inserted.

Amendment
of section 41.

16. In section 41 of the said Act, for the word "half" the words "one anna for every rupee of" shall be substituted.

Amendment
of section 45.

17. In section 45 of the said Act, for the words "may make" the words "shall make" shall be substituted.

Amendment
of section 58.

18. In section 58 of the said Act, after the words "body of persons" the words "or to any individual" shall be inserted.

STATEMENT OF OBJECTS AND REASONS.

The Village Self-Government Act was passed in 1919, before the reform scheme came into existence.

Now that all the chairmen of the district boards are non-officials, and some time has passed to enable the public to make observations on the working of the Act by past experience as the intention of the Government, by passing this Act, is to give to the people real self-government, it is not desirable that the district magistrate with the circle officer should nominate the members of the union boards and exercise supreme control over the union boards. It is proper to give to the people real power to govern themselves. It is necessary to give to the district boards the control of the union boards which now rest with the magistrate. The appointment, salary, etc., of the chaukidars and dafadars should be given to the union boards under the control of the district boards. These and other necessities require amendment of this Act.

Notes on Clauses.

Clause 2.—It has been observed that in several cases local areas forming union boards have not been properly distributed with regard to the population, proximity and area. It is, therefore, necessary that there should be such power given to the district boards and also a clear provision is necessary.

Clauses 3, 12 and 15.—It is most desirable that for "district magistrate," the "district board," should be substituted.

Clause 4.—It is very necessary that most of the poor villagers should be empowered to be voters. The present qualification of the voters, one rupee, is very high, and in the mentioned clauses of sub-section (1) of section 7 it is very necessary to reduce it.

Clauses 5 and 6.—It is very desirable that an opportunity should be given to the members and president of a union board who are removed from the office under sections 12 and 16, respectively, of the Act to explain the charges preferred against them; and to meet any charges that may have been brought against them that they should have a right of an appeal.

Clause 7.—The union rate realized from the villagers and at present the number of chaukidars and their pay is very high; and in respect of the number and pay, etc., of Chaukidars, opinions of the villagers should be highly taken into consideration. As the Government do not defray the expenses about the matter, the all-supreme power should not remain with the district magistrate. So apparently this provision is made for the encouragement of some power of the union board. It is also practically important for the Government to reduce the Chaukidari Tax which will remove public discontent and make the people more loyal, and also such provision was made in the Chaukidari Amendment Act. Under the circumstances it is the most desirable that there can be no question that this Act is far more important than the Chaukidari Act.

Clause 8.—It is considered that section 27 should include the removal of the plague of the water-hyacinth, and that this should be specifically mentioned in the Act.

Clause 9.—The term of fifteen days is very short. So provision should be made for thirty days.

Clause 10. Public *halots*, which were formerly very good means of communication during the dry season and which also served as boat passages during the rains have, in many cases, been encroached upon and ploughed up.

With a view to put a stop to this practice and re-open the old *halots*, the aforesaid amendment is necessary.

Clause 11. An amendment of section 32 has been suggested in order to provide for the engagement of the services of medical practitioners by union boards. This seems very desirable.

Clause 13. — If there is no holding in the union but there is an estate or portion of the lands, this can be assessed according to the income derived therefrom. This kind of amendment has been added in section 37 of the Act.

Clause 14. Provision has been made in sub-clause (1) that if a person has lands in two or three unions his assessment should not exceed forty rupees for each union and if he has lands in four or more unions his assessment should not exceed thirty rupees for each union, and in sub-clause (2) a new sub-section (2) has been proposed in section 38.

Clause 16. — Generally the poor become defaulters. So a fine is not at all desirable. Hence it should be discontinued. However, a one-anna fine may be exacted out of eight annas per rupee.

Clause 17. Provision is made for the better encouragement for the works of sanitation, irrigation or education or the improvement of the public health.

Clause 18.— The intention of the small verbal amendment in section 54 of the Act is to make the meaning of that section more clear.

SHAH SYED EMDADUL HAQ.

Member in charge.

CALCUTTA ;

The 12th October, 1926

THE CALCUTTA IMPROVEMENT (AMENDMENT) BILL, 1925.

BILL

further to amend the Calcutta Improvement Act, 1911.

WHEREAS it is expedient further to amend the Calcutta Improvement Act, 1911, so as to make the constitution of the Board of Trustees more representative; Ben. Act V of 1911.

It is hereby enacted as follows:—

Short title.

1. This Act may be called the Calcutta Improvement (Amendment) Act, 1925.

Amendment of section 5 of Bengal Act V of 1911.

2. (1) In section 5 of the Calcutta Improvement Act, 1911, after the words "Chairman and" the words "one out of" shall be inserted; and

(2) to that section the following shall be added, namely:—

"The remaining three of such persons shall be elected by the elected members of the Bengal Legislative Council."

STATEMENT OF OBJECTS AND REASONS.

The Calcutta Improvement Act was passed in 1911. It is the general feeling that the objects of the Act have not been carried out with due regard to the needs and circumstances of the inhabitants of Calcutta. The activities of the Trust have chiefly been of a destructive character, resulting in considerable hardship upon residents and a great shortage in housing accommodation. The operations of the Improvement Trust have thus seriously affected the poorer sections of the community. The failure of the Trust to conduct its operations in a satisfactory manner has been due, in the main, to the fact that the Board, as at present constituted, is not sufficiently in touch with the views and wishes of the people of the city. It is, therefore, proposed in this Bill to amend the constitution of the Board of Trustees so as to make this body more popular than it is at present.

PRAMATHANATH BANERJEA.

Member in charge.

CALCUTTA:

The 29th October, 1925.

THE CALCUTTA DOMESTIC SERVANTS REGISTRATION BILL, 1925.

A

BILL

*to provide for the Registration of Domestic Servants in
Calcutta.*

WHEREAS it is expedient to provide for the registration of domestic servants in Calcutta;

AND WHEREAS the previous sanction of the Governor General has been obtained under sub-section (3) of section 80A of the Government of India Act to the passing of this Act;

S. & A. Geo.
V. C. 61;
S. & A. Geo.
C. 27; S. &
10, Geo. V,
c. 101.

It is hereby enacted as follows:—

Short title.

1. (1) This Act may be called the Calcutta Domestic Servants Registration Act, 1925.

(2) It shall come into force on such day as the Local Government may, by notification, direct.

Interpretation.

2. In this Act unless there is anything repugnant in the subject or context,—

(1) "Calcutta" means the area defined in section 3(17) of the Calcutta Municipal Act, 1923;

(2) "Master" means any person residing in a house, hotel or boarding house the monthly rental value of which is not less than fifty rupees and having a servant in his employment therein and includes the manager of any hotel or boarding house whether or not such manager resides in such hotel or boarding house and whether or not the servants employed in the work of such hotel or boarding house are in his employment and includes as regards clubs or other like associations the committee or other body managing the same whether or not the building occupied is of the monthly rental value of fifty rupees and whether or not such committee or managing body reside in such building;

(3) "Monthly rental value" means the gross amount at which any premises can reasonably be expected to let in average years to a tenant should the owner desire to let them;

(4) "Servant" means a domestic or menial house servant hired by the month or receiving monthly wages and includes head and under-servants, female servants, cooks, water-carriers, coachmen, grooms, gardeners, and other indoor servants, but shall not include chauffeurs and other such out-door servants;

(5) "Registrar" means a registrar of servants appointed under this Act by the Corporation of Calcutta.

Seal of office.

3. (1) Every Registrar shall have a seal of office with the words "Registrar of Servants" thereon.

Registrar to be public servant.

(2) Every Registrar shall be deemed to be a public servant within the meaning of the Penal Code.

Registration of servants optional.

4. The registration of a servant under this Act shall be optional at the election of the master and servant and they shall not be subject to any of the provisions of this Act unless and until the master elects to register and registers such servant.

(Clauses 4-10.)

Servant applying for registration to furnish particulars.

4. Every such servant or person desiring employment applying to be registered under this Act shall furnish the Registrar with the following particulars:—

- (a) His name and the name of his father.
- (b) His nationality and if possible his place of birth.
- (c) Particulars of his previous engagements (if any).
- (d) Such other particulars as the Registrar may require;

and if he has been before registered he shall produce to the Registrar the book containing the copy of the record in such register.

Registrar to register applicant.

5. (1) The Registrar, if satisfied that there are reasonable grounds to believe that any such servant or person desiring employment is a fit and proper person to be employed in domestic service, shall, on payment by the applicant of the prescribed fee and on compliance by the applicant with the prescribed regulations, register the applicant under this Act by recording the particulars mentioned in section 5 with such description of the applicant as the Registrar shall think fit in a book to be called the "Register of Servants" under a distinctive number and shall issue to the applicant a copy of such record written in a book and authenticated by the seal of office of the Registrar.

(2) Such book shall be issued in the form of a pocket book and shall be called "The Engagement Book".

Provisional registration of applicant.

7. If the applicant can produce no sufficient evidence as to his fitness for domestic service the Registrar may grant provisional registration to be thereafter converted into confirmed registration according to the result of subsequent service.

Registrar's power to withhold registration.

8. If the Registrar is satisfied that the applicant is not a fit and proper person he may withhold registration altogether.

Registrar not to grant registration to convicted person.

9. The Registrar shall not grant registration to any convicted thief or associate of thieves or to any person known to the Police to be leading a disorderly or disreputable life:

Provided that the Registrar may grant registration to any person from whom it may have been so withheld on the application of any householder who may be willing to give such person a trial if the Registrar is satisfied of the respectability of such householder and that the intention to engage such person as a domestic servant is a bona fide one.

Master engaging servant to forward form to Registrar.

10. On engaging such a servant the master shall forthwith fill up a form of notice thereof in accordance with Schedule A bearing a four-anna stamp and within three days forward the same by registered post or otherwise addressed to the Registrar and shall also forthwith make in the servant's Engagement Book an entry of the following particulars:—

- (a) the master's name and address;
- (b) the date of the engagement;
- (c) the capacity in which the servant is engaged;

and shall cause the servant to attend personally at the Registrar's office to have the entry inscribed in the Register of Servants.

(Clauses 11-15.)

Master discharging servant to forward form in Schedule B to Registrar.

11. Every master who discharges such a servant or whose service a registered servant leaves shall thereupon forthwith fill up a form of notice thereof in accordance with Schedule B bearing a four-anna stamp and within three clear days forward the same by registered post or otherwise addressed to the Registrar and shall also insert in the servant's Engagement Book if produced to him the date and cause of discharge and the character of the servant:

Provided that if for any reason he is unwilling to give the servant a character or to state the cause of discharge he may decline to do so but in that case he shall furnish to the Registrar in writing his reasons for so refusing:

Provided further that if the master is unable to enter the cessation of the engagement through failure of the servant to produce the Engagement Book he shall report the fact to the Registrar.

Servant to have entry in Engagement Book recorded in Register of Servants.

12. Every such servant shall within one week after the date of any entry in his Engagement Book attend personally at the office of the Registrar for the purpose of having such entry recorded in the Register of Servants.

Registrar to issue duplicate copy of record on proof of loss of Engagement Book?

13. The Registrar shall issue on payment by the applicant of the prescribed fee a duplicate copy of the record in the Register of Servants to any such servant if he is satisfied that the Engagement Book containing the copy originally issued has been lost or destroyed or in substitution for a copy which is given up to him.

Servant to produce his Engagement Book when required.

14. (1) Every registered servant shall (unless the same is in the custody of his master) produce his Engagement Book when called upon to do so by any Police Officer or by his master or by the Registrar and every master having the custody of such book shall produce the same whenever called upon to do so by any Police Officer or by the Registrar.

Masters legally bound to answer enquiries of Registrar.

(2) Every master engaging registered servant or servants shall be legally bound to answer all questions which may be put to him by the Registrar respecting his servant or servants.

Penalties.

15. (1) Whoever commits any of the following offences shall be punishable with imprisonment for a term not exceeding two months or with a fine not exceeding Rs. 100 or with both:—

(a) Intentionally makes any false statement whether on oath or not to or before any Registrar or to any other person acting in the execution of this Act.

(b) Falsely impersonates another and in such assumed character applies for employment as a servant or makes any false statement or does any other act in any proceeding under this Act.

(2) If any person without lawful authority or excuse (proof whereof shall lie on him) does or omits to do anything which under the provisions of this Act or of any rules made under this Act he ought not to do or omit he shall be liable to a fine not exceeding twenty-five rupees.

Fees payable in stamps.

16. The fees specified in Schedule C shall be paid by the master or servant as therein provided by adhesive stamps to be affixed to the servant's copy of the Register contained in his Engagement Book and every such stamp shall be cancelled by the person who affixes the same writing on or across the stamp the servant's distinctive number and the date when such stamp is affixed.

How affixed and cancelled.

(Class 17.)

Rules.

17. Subject to the provisions of this Act the Governor in Council may make rules in respect of all or any of the following matters:—

- (i) The form of the Registers and Engagement Books and the mode in which the same are to be made and kept and the entries to be made therein.
- (ii) The means to be adopted for preserving evidence of the identity of servants whether by causing them to be photographed or otherwise.
- (iii) To vary the fees to be paid under this Act in substitution for or in addition to the fees mentioned in Schedule C hereto.
- (iv) Generally in relation to any matters similar to those above mentioned as to which it may be expedient to make rules for carrying into effect the objects of this Act.

SCHEDULE A.

(Section 10.)

Notice of Engagement of Servant.

TO THE REGISTRAR OF SERVANTS, Calcutta.

I, the undersigned Master hereby notify to you that
I on the day of , 192 , engaged a
servant named whose registered
number is to serve me as

(Signed) A. B.

My address is No.

Dated this day of 192

SCHEDULE B.

(Section 11.)

*Notice of a Servant being discharged or quitting
the Service of a Master.*

TO THE REGISTRAR OF SERVANTS, Calcutta.

I, the undersigned Master hereby notify to you that
on the day of , 192 , my
servant named whose registered number
is left my service.

(Signed) A. B.

My address is No.

Dated this day of 192

SCHEDULE C.

(Section 16.)

	Rs.	A.	P.
Fee payable by master on causing a servant to be registered in compliance with section 4	1	0	0
Fee payable by master on engaging a new servant	1	0	0
Fee payable on provisional registration of servant	0	8	0
Fee payable on confirmation of provisional registration of servant	0	8	0
Fee payable by the servant for a duplicate Engagement Book	0	8	0

STATEMENT OF OBJECTS AND REASONS.

There is a real need for the registration of domestic servants in Calcutta, not only in the interests of masters, but of the domestic servants themselves, who will thereby be given distinct advantages in whatever form of domestic service they may accept; the introduction, then, of such legislation while protecting the interests of domestic servants, will also go largely to prevent servants of doubtful character and qualifications being engaged in domestic service. In this Bill the registration of domestic servants is made optional under specified conditions, in the town of Calcutta. In Ceylon, by Ordinance No. 11 of 1865 and by Ordinance No. XVII of 1914 of the Straits Settlements, the registration of domestic servants is provided for in the towns, districts or local areas as prescribed by these Ordinances. In the Cantonments of India similar forms of registration are in vogue for the proper regulation of the conditions of service of domestic servants.

H. W. B. MORENO,

Member-in-charge.

CALCUTTA :

The 2nd November, 1925.

THE BENGAL VILLAGE SELF-GOVERNMENT (AMENDMENT) BILL, 1925.

A BILL

to amend the Bengal Village Self-Government Act, 1919

Preamble.

WHEREAS it is expedient to amend the Bengal Village Self-Government Act, 1919, in the manner hereinafter appearing; Beng. Act V of 1919

It is hereby enacted as follows.

Short title.

1. This Act may be called the Bengal Village Self-Government (Amendment) Act, 1925

Amendment of section 6 of Bengal Act V of 1919

2. In sub-section (f) of section 6 of the Bengal Village Self-Government Act, 1919, the words "or by appointment by the District Magistrate, and any person so appointed shall be deemed to be a duly elected member" shall be omitted.

STATEMENT OF OBJECTS AND REASONS.

This Bill is intended to develop further the system of Local Self-Government in Bengal and to secure this end the power of wholesale appointment of union boards in cases of failure of election by District Magistrate is sought to be abolished and the training of people in the elective system is asked for. Such a step will establish the union boards on the bedrock of popular will and not considered as an exotic institution thrust on the villagers by a foreign agency.

H. SARKAR

Member-in-charge.

CALCUTTA.

The 10th October, 1925

THE BENGAL VILLAGE SELF-GOVERNMENT (AMENDMENT) BILL, 1925.

A

BILL

to amend the Bengal Village Self-Government Act, 1919.

WHEREAS it is expedient to amend the Bengal Village Self-Government Act, 1919 (Bengal Act V of 1919) in the manner hereinafter appearing; Ben. Act V of 1919.

It is hereby enacted as follows:—

1. This Act may be called the Bengal Village Self-Government (Amendment) Act, 1925.

Amendment of
section 6 of
Bengal Act V of
1919.

2. In sub-section (3) of section 6 of the Bengal Village Self-Government Act of 1919, hereinafter referred to as the said Act, for the words "one-third" the words "one-fifth" shall be substituted.

Amendment of
section 101.

3. In clause (a) of sub-section (2) of section 101 of the said Act, the words "voting of which shall be by ballot" shall be inserted between the words "or election" and "of members of union boards".

STATEMENT OF OBJECTS AND REASONS.

This Bill intends in the first place to increase the number of elected representatives on the union boards. This provision has been suggested for the gradual development of self-governing institutions which, it is hoped, will ultimately lead to the realisation of responsible, self-government in the country. In the second place this Bill intends to guarantee the free exercise of independent will of the voters which they under the present circumstances cannot do on account of the fear and pressure they are brought to bear.

SAYEDUL HOQUE,

Member-in-charge.

CALCUTTA :

The 13th October, 1925.

J. BARTLEY,

*Secretary to the Government of Bengal, Legislative Department, and
Secretary to the Bengal Legislative Council.*



The Calcutta Gazette

THURSDAY, DECEMBER 31, 1925.

PART VI.

Bills introduced in the Council of State and Legislative Assembly, Reports of Select Committees presented to the Council and Assembly and Bills published under Rule 18 of the Indian Legislative Rules.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Bill was introduced in the Legislative Assembly on the 25th August, 1925:—

No. 34 OF 1925.

A Bill further to amend the Code of Civil Procedure, 1908.

WHEREAS it is expedient further to amend the Code of Civil Procedure, 1908, for the purpose hereinafter appearing: It is hereby enacted as follows:—

Short title.

1. This Act may be called the Code of Civil Procedure (Amendment) Act, 1925.

Amendment of section 102, Act V of 1908.

2. In section 102 of the Code of Civil Procedure, 1908 (hereinafter referred to as the said Code), for the words "five hundred" the words "one thousand" shall be substituted.

Having of present right of appeal.

3. Nothing in section 2 shall affect any present right of appeal which shall have accrued to any party at the commencement of this Act.

Amendment of section 103, Act V of 1908.

4. In section 103 of the said Code, for the words "but not determined by the lower appellate Court" the words "which has not been determined by the lower appellate Court or the finding of such Court on which has been reversed by the High Court on any of the grounds stated in sub-section (1) of section 100" shall be substituted.



The Calcutta Gazette.

THURSDAY, OCTOBER 29, 1925.

PART V.

Acts of the Indian Legislature assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Indian Legislature received the assent of the Governor General on the 27th August, 1925, and is hereby promulgated for general information :—

ACT NO. XIX OF 1925.

An Act to amend and consolidate the law relating to Government and other Provident Funds.

WHEREAS it is expedient to amend and consolidate the law relating to Government and other Provident Funds; It is hereby enacted as follows :—

Short title, extent
and commencement

1. (1) This Act may be called the Provident Funds Act, 1925.

(2) It extends to the whole of British India including British Baluchistan.

(3) It shall come into force on such date as the Governor General in Council may, by notification in the *Gazette of India*, appoint.

Definitions

2. In this Act, unless there is anything repugnant in the subject or context,—

(a) "compulsory deposit" means a subscription to, or deposit in, a Provident Fund which, under the rules of the Fund, is not, until the happening of some specified contingency, repayable on demand otherwise than for the purpose of the payment of premium in respect of a policy of life insurance, and includes any contribution credited in respect of any such subscription or deposit and any interest or increment which has accrued under the rules of the Fund on any such subscription, deposit or contribution, and also any such subscription, deposit, contribution, interest or increment remaining to the credit of the subscriber or depositor after the happening of any such contingency :

- (b) "contribution" means any amount credited in a Provident Fund, by the authority by which the Fund has been constituted, by way of addition to, or otherwise in respect of, a subscription to, or deposit in, the Fund; and "contributory Provident Fund" means a Provident Fund the rules of which provide for the crediting of contributions;
- (c) "dependant" means any of the following relatives of a deceased subscriber to, or a depositor in, a Provident Fund, namely, a wife, husband, parent, child, minor brother, unmarried sister and a deceased son's widow and child, and, where no parent of the subscriber or depositor is alive, a paternal grand-parent;
- (d) "Government Provident Fund" means a Provident Fund, other than a Railway Provident Fund, constituted by the authority of the Government for any class or classes of its employees or for teachers in educational institutions;
- (e) "Provident Fund" means a fund in which subscriptions or deposits of any class or classes of employees are received and held on their individual accounts, and includes any contributions credited in respect of such subscriptions or deposits and any interest or increment accruing on such subscriptions, deposits or contributions under the rules of the Fund;
- (f) "Railway administration" means—
- (i) any company administering a railway or tramway in British India either under a special Act of Parliament or of the Indian or a local Legislature, or under contract with the Secretary of State for India in Council, the Governor General in Council or a Local Government, or
 - (ii) the manager of any railway or tramway administered by the Governor General in Council or a Local Government,
- and includes, in any case referred to in sub-clause (ii), the Governor General in Council or the Local Government, as the case may be;
- (g) "Railway Provident Fund" means a Provident Fund constituted by the authority of a railway administration for any class or classes of its employees.

Protection of compulsory deposits.

3. (1) A compulsory deposit in any Government or Railway Provident Fund shall not in any way be capable of being assigned or charged and shall not be liable to attachment under any decree or order of any Civil, Revenue or Criminal Court in respect of any debt of liability incurred by the subscriber or depositor, and neither the Official Assignee nor any receiver appointed under the Provincial Insolvency Act, 1920, shall be entitled to, or have any claim on, any such compulsory deposit.

(2) Any sum standing to the credit of any subscriber to, or depositor in, any such Fund at the time of his decease and payable under the rules of the Fund to any dependant of the subscriber or depositor, or to such person as may be authorized by law to receive payment on his behalf, shall, subject to any deduction authorized by this Act and, save where the dependant is the widow or child of the subscriber or depositor, subject also to the rights of an assignee under an assignment made before the commencement of this Act, vest in the dependant, and shall, subject as aforesaid, be free from any debt or other liability incurred by the deceased or incurred by the dependant before the death of the subscriber or depositor.

Provisions regarding re-payments.

4. (1) When under the rules of any Government or Railway Provident Fund the sum standing to the credit of any subscriber or depositor, or the balance thereof after the making of any deduction authorised by this Act, has become payable, the officer whose duty it is to make the payment shall pay the sum or balance, as the case may be, to the subscriber or depositor, or, if he is dead, shall—

- (a) if the sum or balance or any part thereof vests in a dependant under the provisions of section 3, pay the same to the dependant or to such person as may be authorised by law to receive payment on his behalf; or
- (b) if the whole sum or balance, as the case may be, does not exceed five thousand rupees, pay the same, or any part thereof which is not payable under clause (a), to any person nominated to receive it under the rules of the Fund, or, if no person is so nominated, to any person appearing to him to be otherwise entitled to receive it; or
- (c) in the case of any sum or balance, or any part thereof, which is not payable to any person under clause (a) or clause (b), pay the same—
 - (i) to any person nominated to receive it under the rules of the Fund, on production by such person of probate or letters of administration evidencing the grant to him of administration to the estate of the deceased or a certificate granted under the Succession Certificate Act, 1889, or under the Bombay Regulation VIII of 1827, entitling the holder thereof to receive payment of such sum, balance or part, or
 - (ii) where no person is so nominated, to any person who produces such probate, letters or certificate:

VII of 1889.

Provided that, where the whole or any part of any sum standing to the credit of the subscriber or depositor has been assigned to any other person before the commencement of this Act, and notice in writing of the assignment has been received by the officer from the assignee, the officer shall, after making any deduction authorised by this Act and any payment due under clause (a) to or on behalf of the widow or children of the subscriber or depositor—

- (i) if the subscriber or depositor or, if he is dead, the person to whom in the absence of any valid assignment the sum or balance would be payable under this sub-section gives his consent in writing, pay the sum or part or the balance thereof, as the case may be, to the assignee, or
- (ii) if such consent is not forthcoming, withhold payment of the sum part or balance, as the case may be, pending a decision of a competent Civil Court as to the person entitled to receive it.

(2) The making of any payment authorised by sub-section (1) shall be a full discharge to the Government or the railway administration, as the case may be, from all liability in respect of so much of the sum standing to the credit of the subscriber or depositor as is equivalent to the amount so paid.

Rights of nomination.

5. (1) Subject to the provisions of this Act, but otherwise notwithstanding anything contained in any law for the time being in force or any disposition, whether testamentary or otherwise, by a subscriber to, or depositor in, a Government or Railway Provident Fund of the sum standing to his credit in the Fund, or of any part thereof, any nomination, duly made in accordance

with the rules of the Fund, which purports to confer upon any person the right to receive the whole or any part of such sum on the death of the subscriber or depositor, shall be deemed to confer such right absolutely, until such nomination is varied by another nomination made in like manner or is expressly cancelled by the subscriber or depositor by notice given in such manner and to such authority as is prescribed by those rules.

(2) Notwithstanding anything contained in the Succession Certificate Act, 1889, or the Bombay Regulation VIII of 1827, any such person shall, on the death of the subscriber or depositor, be entitled to the grant of a certificate under that Act, or that Regulation, as the case may be, entitling him to receive payment of such sum or part, and such certificate shall not be deemed to be invalidated or superseded by any grant to any other person of probate or letters of administration to the estate of the deceased.

VII of 1889.

Power to make deductions.

6. When the sum standing to the credit of any subscriber or depositor in any Government or Railway Provident Fund which is a contributory Provident Fund becomes payable, there may, if the authority by which the Fund has been constituted so directs, be deducted therefrom and paid to that authority—

(a) any amount due under a liability incurred by the subscriber or depositor to that authority, but not exceeding in any case the total amount of any contributions credited to the account of the subscriber or depositor and of any interest or increment which has accrued on such contributions; or

(b) where the subscriber or depositor has been dismissed from the employment of that authority for any reasons specified in this behalf in the rules of the Fund, or where he has resigned such employment within five years of the commencement thereof, the whole or any part of the amount of any such contributions, interest and increment.

Protection for acts done in good faith.

7. No suit or other legal proceeding shall lie against any person in respect of anything which is in good faith done or intended to be done under this Act.

Power to apply the Act to other Provident Funds

8. The Local Government may, by notification in the local official Gazette, direct that the provisions of this Act shall apply to any Provident Fund established for the benefit of its employees by any local authority within the meaning of the Local Authorities Loans Act, 1914, and, on the making of such declaration, this Act shall apply accordingly, as if such Provident Fund were a Government Provident Fund and such local authority were the Government.

IX of 1914.

Savings as to estates of soldiers.

9. Nothing in section 4 or section 5 shall apply to money belonging to any estate for the purpose of the administration of which the Regimental Debts Act, 1893, applies.

54 and 57 Act of 1893.

Repeals

10. The enactments mentioned in the Schedule are hereby repealed to the extent specified in the fourth column thereof.

THE SCHEDULE

ENACTMENTS REPEALED.

(See section 10.)

Year.	No.	Short title.	Extent of repeal.
1897	IX ...	The Provident Funds Act, 1897.	So much as has not been repealed.
1903	IV ...	The Provident Funds (Amendment) Act, 1903.	The whole.
1914	X ...	The Repealing and Amending Act, 1914.	So much of the Second Schedule, as relates to the Provident Funds Act, 1897.
1919	XIV ...	The Provident Funds (Amendment) Act, 1919.	The whole.
1920	XXXVIII ...	The Devolution Act, 1920.	So much of the First Schedule as relates to the Provident Funds Act, 1897.

L. GRAHAM,

Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Indian Legislature received the assent of the Governor General on the 31st September 1925 and is hereby promulgated for general information :—

ACT No. XXVI OF 1925.

An act to amend the law with respect to the carriage of goods by sea.

Whereas at the International Conference on Maritime Law held at Brussels in October 1922, the delegates at the Conference, including the delegates representing His Majesty, agreed unanimously to recommend their respective Governments to adopt as the basis of a Convention a draft convention for the unification of certain rules relating to bills of lading ;

And whereas at a meeting held at Brussels in October 1923, the rules contained in the said draft convention were amended by the Committee appointed by the said Conference ;

And whereas provision has been made by the Carriage of Goods by Sea Act, 1924, that the said rules as so amended and set out with modifications in the Schedule shall, subject to the provisions of that Act, have the force of law with a view to establishing the responsibilities, liabilities, rights and immunities attaching to carriers under bills of lading ;

And whereas it is expedient that like provision should be made in British India ; it is hereby enacted as follows :—

Short title and extent

1. (1) This Act may be called the Indian Carriage of Goods by Sea Act, 1925.
- (2) It extends to the whole of British India.

Application of Rules.

2. Subject to the provisions of this Act, the rules set out in the Schedule (hereinafter referred to as "the Rules") shall have effect in relation to and in connection with the carriage of goods by sea in ships carrying goods from any port in British India to any other port whether in or outside British India.

Absolute warranty of seaworthiness not to be implied in contracts to which Rules apply.

3. There shall not be implied in any contract for the carriage of goods by sea to which the Rules apply any absolute undertaking by the carrier of the goods to provide a seaworthy ship.

Statement as to application of Rules to be included in bills of lading.

4. Every bill of lading, or similar document of title issued in British India which contains or is evidence of any contract to which the Rules apply, shall contain an express statement that it is to have effect subject to the provisions of the said Rules as applied by this Act.

Modification of Article VI of Rules in relation to goods carried in sailing ships and by prescribed routes.

5. Article VI of the Rules shall, in relation to—

- (a) the carriage of goods by sea in sailing ships carrying goods from any port in British India to any other port whether in or outside British India, and
- (b) the carriage of goods by sea in ships carrying goods from a port in British India notified in this behalf in the Gazette of India by the Governor General in Council to a port in Ceylon specified in the said notification,

have effect as though the said Article referred to goods of any class instead of to particular goods and as though the proviso to the second paragraph of the said Article were omitted.

14 & 15 Geo. V. c. 22.

Modification of
Rules 4 and 5 of
Article III in
relation to bulk
cargoes.

8. Where under the custom of any trade the weight of any bulk cargo inserted in the bill of lading is a weight ascertained or accepted by a third party other than the carrier or the shipper and the fact that the weight is so ascertained or accepted is stated in the bill of lading, then, notwithstanding anything in the Rules, the bill of lading shall not be deemed to be *prima facie* evidence against the carrier of the receipt of goods of the weight so inserted in the bill of lading, and the accuracy thereof at the time of shipment shall not be deemed to have been guaranteed by the shipper.

Saving and
operation.

7. (1) Nothing in this Act shall affect the operation of sections four hundred and forty-six to four hundred and fifty, both inclusive, five hundred and two, and five hundred and three of the Merchant Shipping Act, 1894, as amended by any subsequent enactment, or the operation of any other enactment for the time being in force limiting the liability of the owners of seagoing vessels.

57 & 58
Vict., c. 80.

(2) The Rules shall not by virtue of this Act apply to any contract for the carriage of goods by sea before such day, not being earlier than the first day of January 1926, as the Governor General in Council may, by notification in the Gazette of India, appoint, nor to any bill of lading or similar document of title issued, whether before or after such day as aforesaid, in pursuance of any such contract as aforesaid.

SCHEDULE.

RULES RELATING TO BILLS OF LADING.

ARTICLE I.

Definitions.

In these Rules the following expressions have the meanings hereby assigned to them respectively, that is to say—

- (a) "Carrier" includes the owner or the charterer who enters into a contract of carriage with a shipper;
- (b) "Contract of carriage" applies only to contracts of carriage covered by a bill of lading or any similar document of title, in so far as such document relates to the carriage of goods by sea, including any bill of lading or any similar document as aforesaid issued under or pursuant to a charter party from the moment at which such bill of lading or similar document of title regulates the relations between a carrier and a holder of the same;
- (c) "Goods" includes goods, wares, merchandises and articles of every kind whatsoever, except live animals and cargo which by the contract of carriage is stated as being carried on deck and is so carried;
- (d) "Ship" means any vessel used for the carriage of goods by sea;
- (e) "Carriage of goods" covers the period from the time when the goods are loaded on to the time when they are discharged from the ship.

ARTICLE II.

Risks.

Subject to the provisions of Article VI, under every contract of carriage of goods by sea the carrier, in relation to the loading, handling, stowage, carriage, custody, care, and discharge of such goods, shall be subject to the responsibilities and liabilities, and entitled to the rights and immunities hereinafter set forth.

ARTICLE III.

Responsibilities and Liabilities.

1. The carrier shall be bound before and at the beginning of the voyage, to exercise due diligence to—

- (a) Make the ship seaworthy :
- (b) Properly man, equip, and supply the ship :
- (c) Make the holds, refrigerating and cool chambers, and all other parts of the ship in which goods are carried, fit and safe for their reception, carriage and preservation.

2. Subject to the provisions of Article IV, the carrier shall properly and carefully load, handle, stow, carry, keep, care for and discharge the goods carried.

3. After receiving the goods into his charge, the carrier, or the master or agent of the carrier, shall, on demand of the shipper, issue to the shipper a bill of lading showing among other things—

- (a) The loading marks necessary for identification of the goods as the same are furnished in writing by the shipper before the loading of such goods starts, provided such marks are stamped or otherwise shewn clearly upon the goods if uncovered, or on the cases or coverings in which such goods are contained, in such a manner as should ordinarily remain legible until the end of the voyage :
- (b) Either the number of packages or pieces, or the quantity, or weight, as the case may be, as furnished in writing by the shipper :
- (c) The apparent order and condition of the goods :

Provided that no carrier, master or agent of the carrier shall be bound to state or show in the bill of lading any marks, number, quantity, or weight which he has reasonable ground for suspecting not accurately to represent the goods actually received, or which he has had no reasonable means of checking.

4. Such a bill of lading shall be *prima facie* evidence of the receipt by the carrier of the goods as therein described in accordance with paragraph 3 (a) (b) and (c).

5. The shipper shall be deemed to have guaranteed to the carrier the accuracy at the time of shipment of the marks, number, quantity, and weight, as furnished by him, and the shipper shall indemnify the carrier against all loss, damages, and expenses arising and resulting from inaccuracies in such particulars. The right of the carrier to such indemnity shall in no way limit his responsibility and liability under the contract of carriage to any person other than the shipper.

6. Unless notice of loss or damage and the general nature of such loss or damage be given in writing to the carrier or his agent at the port of discharge before or at the time of the removal of the goods into the custody of the person entitled to delivery thereof under the contract of carriage, or, if the loss or damage be not apparent, within three days, such removal shall be *prima facie* evidence of the delivery by the carrier of the goods as described in the bill of lading.

The notice in writing need not be given if the state of the goods has at the time of their receipt been the subject of joint survey or inspection.

In any event the carrier and the ship shall be discharged from all liability in respect of loss or damage unless suit is brought within one year after delivery of the goods or the date when the goods should have been delivered.

In the case of any actual or apprehended loss or damage the carrier and the receiver shall give all reasonable facilities to each other for inspecting and tallying the goods.

7. After the goods are loaded the bill of lading to be issued by the carrier, master or agent of the carrier, to the shipper shall, if the shipper so demands, be a "shipped" bill of lading, provided that if the shipper shall have previously taken up any document of title to such goods, he shall surrender the same as against the issue of the "shipped" bill of lading, but at the option of the carrier, such document of title may be noted at the port of shipment by the carrier, master, or agent with the name or names of the ship or ships upon which the goods have been shipped and the date or dates of shipment, and when so noted the same shall for the purpose of this article be deemed to constitute a "shipped" bill of lading.

8. Any clause, covenant or agreement in a contract of carriage relieving the carrier or the ship from liability for loss or damage to or in connection with goods arising from negligence, fault or failure in the duties and obligations provided in this Article or lessening such liability otherwise than as provided in these Rules, shall be null and void and of no effect.

A benefit of insurance or similar clause shall be deemed to be a clause relieving the carrier from liability.

ARTICLE IV.

Rights and Immunities.

1. Neither the carrier nor the ship shall be liable for loss or damage arising or resulting from unseaworthiness unless caused by want of due diligence on the part of the carrier to make the ship seaworthy, and to secure that the ship is properly manned, equipped and supplied, and to make the holds, refrigerating and cool chambers and all other parts of the ship in which goods are carried fit and safe for their reception, carriage and preservation in accordance with the provisions of paragraph 1 of Article III.

Whenever loss or damage has resulted from unseaworthiness, the burden of proving the exercise of due diligence shall be on the carrier or other person claiming exemption under this section.

2. Neither the carrier nor the ship shall be responsible for loss or damage arising or resulting from--

- (a) act, neglect, or default of the master, mariner, pilot, or the servants of the carrier in the navigation or in the management of the ship;
- (b) fire, unless caused by the actual fault or privity of the carrier;
- (c) perils, dangers and accidents of the sea or other navigable waters;
- (d) act of God;
- (e) act of war;
- (f) act of public enemies;
- (g) arrest or restraint of princes, rulers or people, or seizure under legal process;
- (h) quarantine restriction;
- (i) act or omission of the shipper or owner of the goods, his agent, or representative;
- (j) strikes or lock-outs or stoppage or restraint of labour from whatever cause, whether partial or general;
- (k) riots and civil commotions;

- (l) saving or attempting to save life or property at sea :
- (m) wastage in bulk or weight or any other loss or damage arising from inherent defect, quality, or vice of the goods :
- (n) insufficiency of packing :
- (o) insufficiency or inadequacy of marks :
- (p) latent defects not discoverable by due diligence :
- (q) any other cause arising without the actual fault or privity of the carrier, or without the fault or neglect of the agents or servants of the carrier, but the burden of proof shall be on the person claiming the benefit of this exception to show that neither the actual fault or privity of the carrier nor the fault or neglect of the agents or servants of the carrier contributed to the loss or damage.

3. The shipper shall not be responsible for loss or damage sustained by the carrier or the ship arising or resulting from any cause without the act, fault or neglect of the shipper, his agents or his servants.

4. Any deviation in saving or attempting to save life or property at sea, or any reasonable deviation shall not be deemed to be an infringement or breach of these Rules or of the contract of carriage, and the carrier shall not be liable for any loss or damage resulting therefrom.

5. Neither the carrier nor the ship shall in any event be or become liable for any loss or damage to or in connection with goods in an amount exceeding 100% per package or unit, or the equivalent of that sum in other currency, unless the nature and value of such goods have been declared by the shipper before shipment and inserted in the bill of lading.

This declaration if embodied in the bill of lading shall be *prima facie* evidence, but shall not be binding or conclusive on the carrier.

By agreement between the carrier, master or agent of the carrier and the shipper another maximum amount than that mentioned in this paragraph may be fixed, provided that such maximum shall not be less than the figure abovenamed.

Neither the carrier nor the ship shall be responsible in any event for loss or damage to or in connection with goods if the nature or value thereof has been knowingly mis-stated by the shipper in the bill of lading.

6. Goods of an inflammable, explosive or dangerous nature to the shipment whereof the carrier, master or agent of the carrier, has not consented, with knowledge of their nature and character, may at any time before discharge be landed at any place or destroyed or rendered innocuous by the carrier without compensation, and the shipper of such goods shall be liable for all damages and expenses directly or indirectly arising out of or resulting from such shipment.

If any such goods shipped with such knowledge and consent shall become a danger to the ship or cargo, they may in like manner be landed at any place or destroyed or rendered innocuous by the carrier without liability on the part of the carrier except to general average, if any.

ARTICLE V.

Surrender of Rights and Immunities, and Increase of Responsibilities and Liabilities.

A carrier shall be at liberty to surrender in whole or in part all or any of his rights and immunities or to increase any of his responsibilities and liabilities under the Rules contained in any of these Articles, provided such surrender or increase shall be embodied in the bill of lading issued to the shipper.

The provisions of these Rules shall not be applicable to charterparties, but if bills of lading are issued in the case of a ship under a charterparty they shall comply with the terms of these Rules. Nothing in these Rules shall be held to prevent the insertion in a bill of lading of any lawful provision regarding general average.

ARTICLE VI.

Special Conditions.

Notwithstanding the provisions of the preceding Articles, a carrier, master or agent of the carrier, and a shipper shall in regard to any particular goods be at liberty to enter into any agreement in any terms as to the responsibility and liability of the carrier for such goods, and as to the rights and immunities of the carrier in respect of such goods, or his obligation as to seaworthiness, so far as this stipulation is not contrary to public policy, or the care or diligence of his servants or agents in regard to the loading, handling, stowage, carriage, custody, care, and discharge of the goods carried by sea, provided that in this case no bill of lading has been or shall be issued and that the terms agreed shall be embodied in a receipt which shall be a non-negotiable document and shall be marked as such.

Any agreement so entered into shall have full legal effect:

Provided that this Article shall not apply to ordinary commercial shipments made in the ordinary course of trade, but only to other shipments where the character or condition of the property to be carried or the circumstances, terms and conditions under which the carriage is to be performed, are such as reasonably to justify a special agreement.

ARTICLE VII.

Limitations on the Application of the Rules.

Nothing herein contained shall prevent a carrier or a shipper from entering into any agreement, stipulation, condition, reservation or exemption as to the responsibility and liability of the carrier or the ship for the loss or damage to or in connection with the custody and care and handling of goods prior to the loading on and subsequent to the discharge from the ship on which the goods are carried by sea.

ARTICLE VIII.

Limitation of Liability.

The provisions of these Rules shall not affect the rights and obligations of the carrier under any Statute for the time being in force relating to the limitation of the liability of owners of sea-going vessels.

ARTICLE IX.

The monetary units mentioned in these Rules are to be taken to be gold value.

I. GRAHAM,

Secretary to the Government of India



The Calcutta Gazette

THURSDAY, NOVEMBER 19, 1925.

PART V.

Acts of the Indian Legislature assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Indian Legislature received the assent of the Governor General on the 23rd September, 1925, and is hereby promulgated for general information :

ACT No. XXXI OF 1925.

An Act to provide for the grading of coal and for the grant of certificates for coal intended for export.

WHEREAS it is expedient to provide for the grading of coal and for the grant of certificates for coal intended for export : It is hereby enacted as follows :—

Short title and extent.

1. (1) This Act may be called the Coal Grading Board Act, 1925.

(2) It extends to the whole of British India.

Definition.

2. In this Act, unless there is anything repugnant in the subject or context,—

(a) "Board" means the Coal Grading Board constituted under section 3 ;

(b) "export" means the shipment of coal as cargo from a port in British India ;

(c) "graded colliery" means a colliery the grade of all or any of the seams or of a part of any seam of which has been determined under the provisions of section 4 and is entered in the grade list maintained in accordance with the provisions of section 5 ;

(d) "prescribed" means prescribed by rules made under this Act ; and

(e) "secretary" means the secretary of the Board appointed under sub-section (4) of section 3.

Constitution of Coal
Grading Board

3. (1) As soon as may be after the commencement of this Act, the Governor General in Council shall cause to be constituted a Board consisting of the following members, namely:—

- (a) the Chief Mining Engineer to the Railway Board ;
and
- (b) four persons nominated respectively by the Indian Mining Association, the Indian Mining Federation, the Bengal Chamber of Commerce and the Bengal National Chamber of Commerce.

Provided that, if within the period prescribed in this behalf any such body fails to make any nomination which it is entitled to make under this sub-section, the Governor General in Council may himself appoint a member or members, as the case may be, to fill the vacancy or vacancies.

(2) The Board so constituted shall be a body corporate by the name of the Coal Grading Board, having perpetual succession and a common seal with power to acquire and hold property both moveable and immovable and to contract and shall by the said name sue and be sued.

(3) The Chief Mining Engineer to the Railway Board shall be *ex officio* President of the Board.

(4) The Secretary of the Board shall be a person, not being a member of the Board, appointed by the Board.

Power to grade
collieries to make
grading and to
grant certificate

4. (1) On the application of any colliery and on payment of the prescribed fee, the Board shall in such manner as may be prescribed, determine the grade of coal of all or any of the seams or of a part of a seam of such colliery, and shall by notice in writing inform the colliery of the grade so determined.

(2) The colliery may within thirty days from the receipt of the said notice, lodge with the Board an objection to the order passed under sub-section (1) determining the grade of any coal, and the Board shall, on payment of the prescribed fee and after further inspection and analysis, decide such objection; the decision of the Board shall be final and shall not be questioned in any Court.

(3) Where the grade of any coal has been determined under the provisions of this section, the Board shall, on the request of the colliery, furnish a certificate in the prescribed form, specifying the grade of such coal.

Maintenance and
publication of
grade list

5. (1) The Board shall maintain a grade list, in such form and containing such particulars as may be prescribed, of coal the grade of which has been determined in accordance with the provisions of section 4, but shall not enter in such list any coal in respect of which the colliery has, after the determination or decision of the Board under sub-section (1) or sub-section (2) of section 4, give notice in writing that such coal should not be entered in the grade list.

(2) The grade list shall be published in such manner as may be prescribed.

Power of Board
to issue

6. (1) On the application of any graded colliery desiring to export coal and on payment of the prescribed fee, the Board shall, if it is satisfied after such inspection as it may deem necessary with the quality and condition of the coal, grant a certificate of shipment in the prescribed form.

(2) Such fee shall not exceed one anna per ton of coal.

Powers of inspection

7. Any member of the Board and any person authorised in this behalf by the Board may, for the purposes of this Act, enter at any time in and upon any colliery storage bin, truck, vehicle, vessel or other place where there is coal and inspect, test and take sample of such coal.

Grant of rebate and preferences

8. Notwithstanding anything to the contrary in any law for the time being in force, a rebate of any charges, including freight, fees, tolls, dues or rates, may be granted in respect of coal for which a certificate of shipment has been granted under the provisions of section 6, and, subject to such restrictions as may be prescribed, preference may be given in the supply of wagons for forwarding coal for export from a graded colliery.

Application of fees

9. Subject to such conditions as may be prescribed, the proceeds of fees received by the Board shall be applied to meeting the expenses of the Board.

Validity of acts of Board

10. No act done or proceeding taken under this Act shall be questioned on the ground merely of the existence of any vacancy in or any defect in the constitution of the Board.

Protection for acts done under Act

11. No suit or other legal proceeding shall be instituted against any person in respect of anything which is in good faith done or intended to be done under this Act.

Powers of the Governor General in Council to make rules

12. (1) The Governor General in Council may, after previous publication, by notification in the Gazette of India, make rules for the purpose of carrying into effect all or any of the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- (a) for prescribing the time within which nominations shall be made under section 3, whether in the first instance or on the occurrence of vacancies;
- (b) for prescribing the term of office of members of the Board;
- (c) for prescribing the circumstances in which and the authority by which any member may be removed from the Board;
- (d) for regulating the appointment of officers of and the keeping and publication of accounts by the Board;
- (e) for prescribing the procedure on application under section 4 and the principles for grading coal;
- (f) for prescribing the form of and particulars to be entered in and manner of publication of the grade list;
- (g) for prescribing the procedure of the Board in deciding any objection lodged against any order passed under section 4 determining the grade of any coal;
- (h) for prescribing the form of certificate to be granted under section 6 and the procedure on application under that section;
- (i) for prescribing the restrictions subject to which preference may be given under section 8;
- (j) for prescribing the fees for any inspection or analysis required for the purposes of this Act or payable under any of the provisions of this Act; and
- (k) for prescribing the remuneration of members and regulating the expenditure of the Board.

L. GRAHAM,

Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Indian Legislature received the assent of the Governor General on the 11th September 1925, and is hereby promulgated for general information :—

ACT NO. XXIII OF 1925.

An Act to confer certain exemptions on members of legislative bodies constituted under the Government of India Act.

WHEREAS it is expedient to exempt members of any legislative body constituted under the Government of India Act from liability to serve as jurors or assessors and from arrest and detention in prison under civil process at the time of meeting of such body or of a committee thereof; It is hereby enacted as follows :—

Short title and commencement

1. (1) This Act may be called the Legislative Members Exemption Act, 1925.

(2) It shall come into force on such date as the Governor General in Council may, by notification in the Gazette of India, appoint.

Amendment of section 320, Act V of 1898.

2. After clause (a) of section 320 of the Code of Criminal Procedure, 1898, the following clause shall be inserted, namely :—

V of 1898.

“(aa) members of either Chamber of the Indian Legislature and members of a Legislative Council constituted under the Government of India Act :”

Insertion of new section 135A in Act V of 1908.

3. After section 135 of the Code of Civil Procedure, 1908, the following section shall be inserted, namely :—

V of 1908.

“135A. (1) No person shall be liable to arrest or detention in prison under civil process—

Exemption of members of legislative bodies from arrest and detention under civil process

(a) if he is a member of either Chamber of the Indian Legislature or of a Legislative Council constituted under the Government of India Act, during the continuance of any meeting of such Chamber or Council;

(b) if he is a member of any committee of such Chamber or Council, during the continuance of any meeting of such committee;

(c) if he is a member of either Chamber of the Indian Legislature, during the continuance of a joint sitting of the Chambers, or of a meeting of a conference or joint committee of the Chambers or of which he is a member;

and during the fourteen days before and after such meeting or sitting.

(2) A person released from detention under sub-section (1) shall, subject to the provisions of the said sub-section, be liable to re-arrest and to the further detention to which he would have been liable if he had not been released under the provisions of sub-section (1).”

L. GRAHAM

Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Indian Legislature received the assent of the Governor General on the 23rd September 1925, and is hereby promulgated for general information :—

ACT No. XXIX of 1925.

An Act further to amend the Indian Penal Code.

WHEREAS it is expedient further to amend the Indian Penal Code, 1860. Penal Code; It is hereby enacted as follows :—

Short title.

1. This Act may be called the Indian Penal Code (Amendment) Act, 1925.

Amendment of section 375, Act XLV of 1860.

2. In section 375 of the Indian Penal Code (hereinafter referred to as the said Code), in clause *Fifthly* for the word "twelve" the word "fourteen" shall be substituted, and in the *Exception* for the word "twelve" the word "thirteen" shall be substituted.

Amendment of section 376, Act XLV of 1860.

3. To section 376 of the said Code the following shall be added, namely :—

"unless the woman raped is his own wife and is not under twelve years of age, in which case he shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both."

Sexual intercourse not rape in certain circumstances.

4. Notwithstanding anything contained in section 2 sexual intercourse by a man with his own wife is not rape although the wife has not attained the age of thirteen years, if he was married to her before the date on which this Act comes into operation and she had attained the age of twelve years on that date.

Amendment of Schedule II, Act V of 1898.

5. In Schedule II to the Code of Criminal Procedure, V of 1898 1898, for the entries against section 376 the following entries shall be substituted, namely :—

"Of Rape."

376	Rape— If the sexual intercourse was by a man with his own wife not being under 13 years of age.	Shall not arrest without warrant.	Summary	Bailable	Not compoundable.	Imprisonment of either description for 3 years, or fine or both.	Court of Session, Chief Presidency Magistrate or District Magistrate.
	If the sexual intercourse was by a man with his own wife being under 13 years of age.	Shall not arrest without warrant.	Summary	Bailable	Not compoundable.	Transportation for life, or imprisonment of either description for 10 years, and fine.	Court of Session.
	In any other case	May arrest without warrant.	Warrant	Not bailable.	Not compoundable.	Transportation for life, or imprisonment of either description for 10 years, and fine.	Court of Session."

L. GRAHAM,

Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Indian Legislature received assent of the Governor General on the 23rd September 1925, and is hereby promulgated for general information :—

ACT NO. XXXIII OF 1925.

An Act to amend the Criminal Tribes Act, 1924.

WHEREAS it is expedient to amend the Criminal Tribes Act, 1924, for the purposes hereinafter appearing ; VI of 1924.
It is hereby enacted as follows :—

Short title

1. This Act may be called the Criminal Tribes (Amendment) Act, 1925.

Amendment of section 10, Act VI of 1924.

2. Section 10 of the Criminal Tribes Act, 1924, shall VI of 1924.
be re-numbered sub-section (1) of section 10, and to the said section the following sub-sections shall be added, namely :—

"(2) Where a registered member of a criminal tribe in respect of which the Local Government has issued a notification under sub-section (1) changes his place of residence to a district other than that in which he has been registered (whether in the same province or not), or is for the time being in a district of a province other than that by the Local Government of which the said notification was issued, the provisions of this Act and of the rules made thereunder shall apply to him as if in pursuance of a direction made under section 4 he had been registered in that district ; and where that district is in a province other than that by the Local Government of which the notifications under section 3 and sub-section (1) of this section were issued in respect of such criminal tribe, as if the said notifications had been issued by the Local Government of such other province.

(3) Where any such registered member changes his place of residence to a district other than that in which he has been registered (whether in the same province or not), the relevant entry in the register shall be transferred to the Superintendent of Police of that district."

L. GRAHAM,

Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Indian Legislature received the assent of the Governor General on the 23rd September 1925, and is hereby promulgated for general information:—

ACT No XXXVIII OF 1925.

*An Act further to amend the Transfer of Property
Act, 1882.*

Whereas it is expedient further to amend the Transfer of Property Act, 1882, for the purpose hereinafter appearing; It is hereby enacted as follows:—

Short title

1. This Act may be called the Transfer of Property IV of 1882 (Amendment) Act, 1925.

Amendment of
section 130, Act IV
of 1882

2. In sub-section (1) of section 130 of the Transfer of Property Act, 1882, after the words "authorised agent and" the words and figures "notwithstanding anything contained in section 123" shall be inserted.

L. GRAHAM,

Secretary to the Government of India.



The Calcutta Gazette

THURSDAY, NOVEMBER 26, 1925.

PART V.

Acts of the Indian Legislature assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Indian Legislature received the assent of the Governor General on the 11th September, 1925, and is hereby promulgated for general information :—

ACT NO. XXI OF 1925.

An Act further to amend the Religious Endowments Act, 1863.

WHEREAS it is expedient further to amend the Religious Endowments Act, 1863, for the purposes hereinafter appearing : It is hereby enacted as follows :—

Short title.

1. This Act may be called the Religious Endowments (Amendment) Act, 1925.

Amendment of section 2, Act XX of 1863.

2. In section 2 of the Religious Endowments Act, 1863 (hereinafter referred to as the said Act), after the words "and " Court " shall " the words " save as provided in section 10, " and after the words " district in which " the words " or any other Court empowered in that behalf by the Local Government within the local limits of the jurisdiction of which, " shall be inserted.

Amendment of section 10, Act XX of 1863.

3. To section 10 of the said Act the following *Explanation* shall be added, namely :—

" *Explanation.*—In this section ' Civil Court ' means the principal Court of original civil jurisdiction in the district in which the mosques, temples or religious establishments for which the committee has been appointed or any of them are situate. "

L. GRAHAM,

Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Indian Legislature received the assent of the Governor General on the 21st September, 1925, and is hereby promulgated for general information :—

ACT No. XXVIII OF 1925.

An Act to amend the Provident Funds Act, 1925.

Whereas it is expedient to amend the Provident Funds XIX of 1925. Act, 1925, for the purposes hereinafter appearing; It is hereby enacted as follows :—

Short title and commencement.

1. (1) This Act may be called the Provident Funds (Amendment) Act, 1925.

(2) It shall come into force on such date as the Governor General in Council may, by notification in the Gazette of India, appoint.

Amendment of section 2, Act XIX of 1925

2. In clause (b) of section 2 of the Provident Funds XIX of 1925. Act, 1925 (hereinafter referred to as the said Act), for the words "the authority by which the Fund has been constituted" the words "any authority administering the Fund" shall be substituted.

Amendment of section 6, Act XIX of 1925.

3. In section 6 of the said Act—

(a) for the words "by which the Fund has been constituted" the words "specified in this behalf in the rules of the Fund",

(b) for the words "that authority", where they occur for the first time, the words "Government or the Railway administration, as the case may be",

(c) in clause (a), for the words "that authority" the words "Government or the Railway administration", and

(d) in clause (b), for the words "the employment of that authority" the words "his employment",

shall be substituted.

L. GRAHAM,

Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Indian Legislature received the assent of the Governor General on the 23rd September, 1925, and is hereby promulgated for general information :—

ACT No. XXXIV OF 1925.

An Act to amend the Cotton Transport Act, 1923.

Whereas it is expedient to amend the Cotton Transport Act, 1923, for the purpose hereinafter appearing; It is hereby enacted as follows :—

Short title.

1. This Act may be called the Cotton Transport (Amendment) Act, 1925.

Amendment of section 2, Act III of 1923.

2. In clause (a) of section 2 of the Cotton Transport Act, 1923 (hereinafter referred to as the said Act), after the word "prohibited" the words "wholly or partly" shall be inserted.

Amendment of section 3, Act III of 1923.

3. In section 3 of the said Act, in sub-section (1) after the words "into that area" the words "by rail, road, river and sea, or by any one or more of such routes" and in sub-section (2) after the words "import of which" and the words "for the import" the words "by rail" shall be inserted.

Amendment of section 4, Act III of 1923.

4. In section 4 of the said Act, in sub-section (1) after the words "import of the cotton" and in sub-section (3) after the words "the import" the words "by rail" shall be inserted.

Amendment of section 5, Act III of 1923.

5. In sub-section (1) of section 5 of the said Act, after the words "import of which" and the words "import of the cotton" the words "by rail" shall be inserted.

Amendment of section 7, Act III of 1923.

6. In clause (a) of sub-section (1) of section 7 of the said Act, after the word "prohibited" the words "wholly or partly" shall be inserted.

L. GRAHAM,

Secretary to the Government of India.



The Calcutta Gazette

THURSDAY, DECEMBER 3, 1925.

PART V.

Acts of the Indian Legislature assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Indian Legislature received the assent of the Governor General on the 23rd September, 1925, and is hereby promulgated for general information:—

ACT No. XXX OF 1925.

An Act further to amend the Indian Limitation Act, 1908.

WHEREAS it is expedient further to amend the Indian Limitation Act, 1908, for the purposes hereinafter appearing; It is hereby enacted as follows:—

Short title and commencement.

1. (1) This Act may be called the Indian Limitation (Amendment) Act, 1925.

(2) It shall come into force on the first day of April, 1926.

Amendment of article 5 of First Schedule to Act IX of 1908.

2. In the First Division of the First Schedule to the Indian Limitation Act, 1908 (hereinafter called the said Act),—

(a) after article 4 the heading "*Part IV.—One year.*" shall be inserted;

(b) in article 5—

(i) to the entry in the first column the following shall be added, namely:—

"where the provision of such summary procedure does not exclude the ordinary procedure in such suits and under Order XXXVII of the said Code";

(ii) for the entry in the second column the entry "One year" shall be substituted; and

(c) the heading "*Part IV.—One year*" after article 5 shall be omitted.

Amendment of article 159 of First Schedule to Act IX of 1908.

3. In the Third Division of the First Schedule to the said Act, in the entry in the first column of article 159, after the figures and letter "128 (g) (f)" the words and figures "or under Order XXXVII" shall be inserted.

L. GRAHAM,

Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Indian Legislature received the assent of the Governor General on the 21st September 1925, and is hereby promulgated for general information:—

ACT NO XXV OF 1925.

An Act to provide for the fostering and development of the bamboo paper industry in British India.

WHEREAS it is expedient, in pursuance of the policy of discriminating protection of industries in British India with due regard to the well-being of the community, to provide for the fostering and development of the industry of making paper from bamboo by increasing the import duties leviable on certain kinds of paper and to determine the duties which shall be payable in respect of such paper during the next seven years: It is hereby enacted as follows:—

Short title

1. This Act may be called the Bamboo Paper Industry (Protection) Act, 1925.

Amendment of Act VIII of 1894

2. (1) In the Second Schedule to the Indian Tariff Act, 1894, there shall be made the amendments specified in the Schedule to this Act.

(2) The amendments made by sub-section (1) shall have effect up to the thirty-first day of March 1932.

THE SCHEDULE.

AMENDMENTS TO BE MADE IN SCHEDULE II TO THE INDIAN TARIFF ACT, 1894.

(See section 2.)

1. In item No. 99 the following words shall be deleted:—

"ruled or printed forms and account and manuscript books;"

and to that item, the following shall be added, namely:—

"and paper and stationery otherwise specified (see Nos. 155 and 156)."

2. After item No. 154, the following shall be added, namely:—

"PAPER, PASTEBORD, AND STATIONERY.

155	PRINTED PAPER (excluding chrome, marbled, tint, poster and stereo), all sorts containing less than 65 per cent. of mechanical wood pulp	Pound	One anna
156	WRITING PAPER, all sorts, including ruled or printed forms and account and manuscript books and the binding thereof	Pound	One anna

L. GRAMAM.

Secretary to the Government of India.



The Calcutta Gazette

THURSDAY, DECEMBER 10, 1925.

PART V.

Acts of the Indian Legislature assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Indian Legislature received the assent of the Governor General on the 23rd September 1925, and is hereby promulgated for general information:—

ACT NO. XXXVII OF 1925.

An Act to amend certain enactments and to repeal certain other enactments.

WHEREAS it is expedient that certain amendments should be made in the enactments specified in the First Schedule;

AND WHEREAS it is also expedient that certain enactments specified in the Second Schedule which are spent or have otherwise become unnecessary, or have ceased to be in force otherwise than by express specific repeal, should be expressly and specifically repealed;

It is hereby enacted as follows:—

Short title.

1. This Act may be called the Repealing and Amending Act, 1925.

Amendment of certain enactments.

2. The enactments specified in the First Schedule are hereby amended to the extent and in the manner mentioned in the fourth column thereof.

Repeal of certain enactments.

3. The enactments specified in the Second Schedule are hereby repealed to the extent mentioned in the fourth column thereof.

Savings.

4. The repeal by this Act of any enactment shall not affect any Act or Regulation in which such enactment has been applied, incorporated or referred to;

and this Act shall not affect the validity, invalidity, effect or consequences of anything already done or suffered, or any right, title, obligation or liability already acquired, accrued or incurred, or any remedy or proceeding in respect thereof, or any release or discharge of or from any debt, penalty, obligation, liability, claim or demand or any indemnity already granted, or the proof of any past act or thing;

nor shall this Act affect any principle or rule of law, or established jurisdiction, form or course of pleading, practice or procedure or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed, recognised or derived by, in or from any enactment hereby repealed.

nor shall the repeal by this Act of any enactment revive or restore any jurisdiction, office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matter or thing not now existing or in force.

THE FIRST SCHEDULE.

AMENDMENTS.

(See section 2.)

Year.	No.	Short title.	Amendments.
1882	II	The Indian Trusts Act, 1882.	In section 20, clause (c), for the word "Central" the word "Provincial" shall be substituted.
1898	XIII	The Burma Laws Act, 1898.	In the First Schedule, in the entry relating to the Code of Criminal Procedure, 1898 (V of 1898), in column 4, for the words "Upper Burma Criminal Justice Regulation, 1892" the words "Burma (Frontier Districts) Criminal Justice Regulation, 1925" shall be substituted.
1910	IX	The Indian Electricity Act, 1910	In section 3, sub-section (2), clause (a), sub-clause (ii), for the words "Director of Military Works" the words "Engineer-in-Chief, Army Headquarters, India" shall be substituted.
1923	IV	The Indian Mines Act, 1923.	(1) In section 9, sub-section (2) for the words "in the manner provided by section 4 of the Indian Official Secrets Act, 1889" the words "with imprisonment for a term which may extend to one year, or with fine or with both" shall be substituted. (2) In section 13, for the words "owner, agent or manager" the words "owner or agent" shall be substituted. (3) In section 30, clause (g), after the word "Act" the words "and of the regulations and rules" shall be inserted, and the words "the regulations, rules and" shall be omitted.
1923	VIII	The Workmen's Compensation Act, 1923.	In section 22, sub-section (2), clause (a), for the word "on" where it occurs for the second time the word "of" shall be substituted.
1923	XXIX	The Code of Civil Procedure (Amendment) Act, 1923.	In section 1, for the word and brackets "(Amendment)" the words and brackets "(Second Amendment)" shall be substituted.

THE SECOND SCHEDULE.

REPEALS.

(See section 3.)

Year.	No.	Short title.	Repeals.
1872	V	The High Courts Jurisdiction (Sindh) Act, 1872.	Section 4.
1898	V	The Code of Criminal Procedure, 1898.	(1) In column 1 of Schedule II, the figures "159". (2) In Schedule III, item (16) in Head I and items (15) and (16) in Head V.
1898	XIII	The Burma Laws Act, 1898.	In the Third Schedule the entry relating to the Upper Burma Criminal Justice Regulation, 1892.

L. GRAHAM,

Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Indian Legislature received the assent of the Governor General on the 30th September 1925, and is hereby promulgated for general information :—

ACT No. XXXIX OF 1925.

THE INDIAN SUCCESSION ACT.

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An Act to consolidate the law applicable to intestate and testamentary succession in British India.

WHEREAS it is expedient to consolidate the law applicable to intestate and testamentary succession in British India: It is hereby enacted as follows:—

PART I.

PRELIMINARY.

Short title.

1. This Act may be called the Indian Succession Act, 1925.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context,—

- (a) "administrator" means a person appointed by competent authority to administer the estate of a deceased person when there is no executor;
- (b) "codicil" means an instrument made in relation to a will, and explaining, altering or adding to its dispositions, and shall be deemed to form part of the will;
- (c) "executor" means a person to whom the execution of the last will of a deceased person is, by the testator's appointment, confided;
- (d) "Indian Christian" means a native of India who is, or in good faith claims to be, of unmixed Asiatic descent and who professes any form of the Christian religion;
- (e) "minor" means any person subject to the Indian Majority Act, 1875, who has not attained his majority within the meaning of that Act, and any other person who has not completed the age of eighteen years; and "minority" means the status of any such person;
- (f) "probate" means the copy of a will certified under the seal of a Court of competent jurisdiction with a grant of administration to the estate of the testator;
- (g) "Province" includes any division of British India having a Court of the last resort; and
- (h) "will" means the legal declaration of the intention of a testator with respect to his property which he desires to be carried into effect after his death.

Power of Local Government to exempt any race, sect or tribe in the territories administered by the Local Government from operation of Act.

3. (1) The Local Government may, by notification in the local official Gazette, either retrospectively from the sixteenth day of March, 1865, or prospectively, exempt from the operation of any of the following provisions of this Act, namely sections 5 to 42, 58 to 191, 212, 213 and 215 to 309, the members of any race, sect or tribe in the province, or of any part of such race, sect or tribe, to whom the Local Government considers it impossible or inexpedient to apply such provisions or any of them mentioned in the order.

(2) The Local Government may, by a like notification, revoke any such order, but not so that the revocation shall have retrospective effect.

(3) Persons exempted under this section or exempted from the operation of any of the provisions of the Indian Succession Act, 1865, under section 303 of that Act shall be referred to as "exempted persons".

PART II.
OF DOMICILE.

Application of Part.

4. This Part shall not apply if the deceased was a Hindu, Muhammadan, Buddhist, Sikh or Jain.

Law regulating succession to deceased person's immovable and moveable property respectively.

5. (1) Succession to the immovable property in British India of a person deceased shall be regulated by the law of British India, wherever such person may have had his domicile at the time of his death.

(2) Succession to the moveable property of a person deceased is regulated by the law of the country in which such person had his domicile at the time of his death.

Illustrations.

(i) A, having his domicile in British India, dies in France, leaving moveable property in France, moveable property in England, and property, both moveable and immovable, in British India. The succession to the whole is regulated by the law of British India.

(ii) A, an Englishman, having his domicile in France, dies in British India, and leaves property, both moveable and immovable, in British India. The succession to the moveable property is regulated by the rules which govern, in France, the succession to the moveable property of an Englishman dying domiciled in France, and the succession to the immovable property is regulated by the law of British India.

One domicile only affects succession to moveables.

6. A person can have only one domicile for the purpose of the succession to his moveable property.

Domicile of origin of person of legitimate birth.

7. The domicile of origin of every person of legitimate birth is in the country in which at the time of his birth his father was domiciled; or, if he is a posthumous child, in the country in which his father was domiciled at the time of the father's death.

Illustration.

At the time of the birth of A, his father was domiciled in England. A's domicile of origin is in England, whatever may be the country in which he was born.

Domicile of origin of illegitimate child.

8. The domicile of origin of an illegitimate child is in the country in which, at the time of his birth, his mother was domiciled.

Continuance of domicile of origin.

9. The domicile of origin prevails until a new domicile has been acquired.

Acquisition of new domicile.

10. A man acquires a new domicile by taking up his fixed habitation in a country which is not that of his domicile of origin.

Explanation.—A man is not to be deemed to have taken up his fixed habitation in British India merely by reason of his residing there in His Majesty's civil or military service, or in the exercise of any profession or calling.

Illustrations.

(i) A, whose domicile of origin is in England, proceeds to British India, where he settles as a barrister or a merchant, intending to reside there during the remainder of his life. His domicile is now in British India.

(ii) A, whose domicile is in England, goes to Austria, and enters the Austrian service, intending to remain in that service. A has acquired a domicile in Austria.

(iii) A, whose domicile of origin is in France, comes to reside in British India under an engagement with the Government of India for a certain number of years. It is his intention to return to France at the end of that period. He does not acquire a domicile in British India.

(iv) A, whose domicile is in England, goes to British India for the purpose of winding up the affairs of a partnership which has been dissolved, and with the intention of returning to England as soon as that purpose is accomplished. He does not by such residence acquire a domicile in British India, however long the residence may last.

(v) A, having gone to reside in British India in the circumstances mentioned in the last preceding illustration, afterwards alters his intention, and takes up his fixed habitation in British India. A has acquired a domicile in British India.

(vi) A, whose domicile is in the French Settlement of Chandernagore, is compelled by political events to take refuge in Calcutta, and resides in Calcutta for many years in the hope of such political changes as may enable him to return with safety to Chandernagore. He does not by such residence acquire a domicile in British India.

(vii) A, having come to Calcutta in the circumstances stated in the last preceding illustration, continues to reside there after such political changes have occurred as would enable him to return with safety to Chandernagore, and he intends that his residence in Calcutta shall be permanent. A has acquired a domicile in British India.

Special mode of
acquiring domicile
in British India

11. Any person may acquire a domicile in British India by making and depositing in some office in British India, appointed in this behalf by the Local Government, a declaration in writing under his hand of his desire to acquire such domicile; provided that he has been resident in British India for one year immediately preceding the time of his making such declaration.

Domicile not
acquired by
residence as
representative of
foreign
Government, or as
part of his family

12. A person who is appointed by the Government of one country to be its ambassador, consul or other representative in another country does not acquire a domicile in the latter country by reason only of residing there in pursuance of his appointment; nor does any other person acquire such domicile by reason only of residing with such first-mentioned person as part of his family, or as a servant.

Continuance of new
domicile

13. A new domicile continues until the former domicile has been resumed or another has been acquired.

Minor's domicile

14. The domicile of a minor follows the domicile of the parent from whom he derived his domicile of origin.

Exception.—The domicile of a minor does not change with that of his parent if the minor is married or holds any office or employment in the service of His Majesty, or has set up, with the consent of the parent, in any distinct business.

Domicile acquired
by woman on
marriage

15. By marriage a woman acquires the domicile of her husband, if she had not the same domicile before.

Wife's domicile
during marriage.

16. A wife's domicile during her marriage follows the domicile of her husband.

Exception.—The wife's domicile no longer follows that of her husband if they are separated by the sentence of a competent Court, or if the husband is undergoing a sentence of transportation.

Minor's acquisition
of new domicile

17. Save as hereinbefore otherwise provided in this Part, a person cannot, during minority, acquire a new domicile.

Insane's
acquisition of new
domicile.

18. An insane person cannot acquire a new domicile in any other way than by his domicile following the domicile of another person.

Succession to
movable property
in British India in
absence of proof of
domicile elsewhere

19. If a person dies leaving movable property in British India, in the absence of proof of any domicile elsewhere, succession to the property is regulated by the law of British India.

PART III.

MARRIAGE.

Interests and powers not acquired nor lost by marriage.

20. (1) No person shall, by marriage, acquire any interest in the property of the person whom he or she marries or become incapable of doing any act in respect of his or her own property which he or she could have done if unmarried.

(2) This section—

(a) shall not apply to any marriage contracted before the first day of January 1866;

(b) shall not apply, and shall be deemed never to have applied, to any marriage one or both of the parties to which professed at the time of the marriage the Hindu, Muhammadan, Buddhist, Sikh or Jaina religion.

Effect of marriage between person domiciled and one not domiciled in British India.

21. If a person whose domicile is not in British India marries in British India a person whose domicile is in British India, neither party acquires by the marriage any rights in respect of any property of the other party not comprised in a settlement made previous to the marriage, which he or she would not acquire thereby if both were domiciled in British India at the time of the marriage.

Settlement of minor's property in contemplation of marriage.

22. (1) The property of a minor may be settled in contemplation of marriage, provided the settlement is made by the minor with the approbation of the minor's father, or, if the father is dead or absent from British India, with the approbation of the High Court.

(2) Nothing in this section or in section 21 shall apply to any will made or intestacy occurring before the first day of January, 1866, or to intestate or testamentary succession to the property of any Hindu, Muhammadan, Buddhist, Sikh or Jaina.

PART IV.

OF CONSANGUINITY.

Application of Part.

23. Nothing in this Part shall apply to any will made or intestacy occurring before the first day of January, 1866, or to intestate or testamentary succession to the property of any Hindu, Muhammadan, Buddhist, Sikh, Jaina or Parsi.

Kindred or consanguinity.

24. Kindred or consanguinity is the connection or relation of persons descended from the same stock or common ancestor.

Lineal consanguinity.

25. (1) Lineal consanguinity is that which subsists between two persons, one of whom is descended in a direct line, from the other, as between a man and his father, grandfather and great-grandfather, and so upwards in the direct ascending line; or between a man and his son, grandson, great-grandson and so downwards in the direct descending line.

(2) Every generation constitutes a degree, either ascending or descending.

(3) A person's father is related to him in the first degree, and so likewise is his son; his grandfather and grandson in the second degree; his great-grandfather and great-grandson in the third degree, and so on.

Collateral consanguinity.

26. (1) Collateral consanguinity is that which subsists between two persons who are descended from the same stock or ancestor, but neither of whom is descended in a direct line from the other.

(9) For the purpose of ascertaining in what degree of kindred any collateral relative stands to a person deceased, it is necessary to reckon upwards from the person deceased to the common stock and then downwards to the collateral relative, a degree being allowed for each person, both ascending and descending.

Persons held for purpose of succession to be similarly related to deceased

27. For the purpose of succession, there is no distinction—

- (a) between those who are related to a person deceased through his father, and those who are related to him through his mother; or
- (b) between those who are related to a person deceased by the full blood, and those who are related to him by the half blood; or
- (c) between those, who were actually born in the lifetime of a person deceased and those who at the date of his death were only conceived in the womb, but who have been subsequently born alive.

Mode of computing of degrees of kindred

28. Degrees of kindred are computed in the manner set forth in the table of kindred set out in Schedule I.

Illustrations.

(i) The person whose relatives are to be reckoned, and his cousin-german, or first cousin, are as shown in the table, related in the fourth degree: there being one degree of ascent to the father, and another to the common ancestor, the grandfather, and from him one of descent to the uncle, and another to the cousin-german, making in all four degrees.

(ii) A grandson of the brother and a son of the uncle, i.e., a great nephew and a cousin-german are in equal degree being each four degrees removed.

(iii) A grandson of a cousin-german is in the same degree as the grandson of a great uncle, for they are both in the sixth degree of kindred.

PART V.

INTESTATE SUCCESSION.

CHAPTER I

Preliminary.

Act which of Part

29. (1) This part shall not apply to any intestacy occurring before the first day of January, 1866, or to the property of any Hindu, Muhammadan, Buddhist, Sikh or Jaina.

(2) Save as provided in sub-section (1) or by any other law for the time being in force, the provisions of this Part shall constitute the law of British India in all cases of intestacy.

Act which property deceased considered to have died intestate

30. A person is deemed to die intestate in respect of all property of which he has not made a testamentary disposition which is capable of taking effect.

Illustrations

(i) A has left no will. He has died intestate in respect of the whole of his property.

(ii) A has left a will, whereby he has appointed B his executor; but the will contains no other provisions. A has died intestate in respect of the distribution of his property.

(iii) A has bequeathed his whole property for an illegal purpose. A has died intestate in respect of the distribution of his property.

(iv) A has bequeathed 1,000 rupees to B and 1,000 rupees to the eldest son of C, and has made no other bequest; and has died leaving the sum of 2,000 rupees and no other property. C died before A without having ever had a son. A has died intestate in respect of the distribution of 1,000 rupees.

CHAPTER II.

Rules in cases of Intestates other than Parsis.

Chapter not to
apply to Parsis.

Devolution of such
property.

31. Nothing in this Chapter shall apply to Parsis.

32. The property of an intestate devolves upon the wife or husband, or upon those who are of the kindred of the deceased, in the order and according to the rules hereinafter contained in this Chapter.

Explanation.—A widow is not entitled to the provision hereby made for her if, by a valid contract made before her marriage, she has been excluded from her distributive share of her husband's estate.

Where intestate has
left widow and
lineal descendants,
or widow and
kindred only, or
widow and no
kindred.

33. Where the intestate has left a widow—

- (a) if he has also left any lineal descendants, one-third of his property shall belong to his widow, and the remaining two-thirds shall go to his lineal descendants, according to the rules hereinafter contained;
- (b) if he has left no lineal descendant, but has left persons who are of kindred to him, one-half of his property shall belong to his widow, and the other half shall go to those who are of kindred to him, in the order and according to the rules hereinafter contained;
- (c) if he has left none who are of kindred to him, the whole of his property shall belong to his widow.

Where intestate has
left no widow, and
where he has left
no kindred.

34. Where the intestate has left no widow, his property shall go to his lineal descendants or to those who are of kindred to him, not being lineal descendants, according to the rules hereinafter contained; and, if he has left none who are of kindred to him, it shall go to the Crown.

Rights of widower.

35. A husband surviving his wife has the same rights in respect of her property, if she dies intestate, as a widow, has in respect of her husband's property, if he dies intestate.

Distribution where there are lineal descendants.

Rules of distribu-
tion.

36. The rules for the distribution of the intestate's property (after deducting the widow's share, if he has left a widow) amongst his lineal descendants shall be those contained in sections 37 to 40.

Where intestate
has left child or
children only.

37. Where the intestate has left surviving him a child or children, but no more remote lineal descendant through a deceased child, the property shall belong to his surviving child, if there is only one, or shall be equally divided among all his surviving children.

Where intestate
has left no child,
but grandchild or
grandchildren.

38. Where the intestate has not left surviving him any child, but has left a grandchild or grandchildren and no more remote descendant through a deceased grandchild, the property shall belong to his surviving grandchild if there is only one, or shall be equally divided among all his surviving grandchildren.

Illustrations.

(i) A has three children, and no more, John, Mary and Henry. They all die before the father, John leaving two children, Mary three, and Henry four. Afterwards A dies intestate, leaving three grandchildren and no descendant of any deceased grandchild. Each of his grandchildren will have one-ninth.

(ii) But if Henry has died, leaving no child, then the whole is equally divided between the intestate's five grandchildren, the children of John and Mary.

Where intestate has left only great-grandchildren or remoter lineal descendants.

39. In like manner the property shall go to the surviving lineal descendants who are nearest in degree to the intestate, where they are all in the degree of great-grandchildren to him, or are all in a more remote degree.

Where intestate leaves lineal descendants not all in same degree of kindred to him, and those through whom the more remote are deceased are dead.

40. (1) If the intestate has left lineal descendants who do not all stand in the same degree of kindred to him, and the persons through whom the more remote are descended from him are dead, the property shall be divided into such a number of equal shares as may correspond with the number of the lineal descendants of the intestate who either stood in the nearest degree of kindred to him at his decease, or, having been of the like degree of kindred to him, died before him, leaving lineal descendants who survived him.

(2) One of such shares shall be allotted to each of the lineal descendants who stood in the nearest degree of kindred to the intestate at his decease; and one of such shares shall be allotted in respect of each of such deceased lineal descendants; and the share allotted in respect of each of such deceased lineal descendants shall belong to his surviving child or children or more remote lineal descendants, as the case may be; such surviving child or children or more remote lineal descendants always taking the share which his or their parent or parents would have been entitled to respectively if such parent or parents had survived the intestate.

Illustrations

(i) A had three children, John, Mary and Henry, John died, leaving four children, and Mary died leaving one, and Henry alone survived the father. On the death of A, intestate one third is allotted to Henry, one third to John's four children, and the remaining third to Mary and her child.

(ii) A left no child, but left eight grandchildren, and two children of a deceased grandchild. The property is divided into nine parts, one of which is allotted to each grandchild, and the remaining one ninth is equally divided between the two great-grandchildren.

(iii) A has three children, John, Mary and Henry, John dies leaving four children, and one of John's children dies leaving two children. Mary dies leaving one child. A afterwards dies intestate one-third of his property is allotted to Henry, one third to Mary's child, and one third is divided into four parts, one of which is allotted to each of John's three surviving children, and the remaining part is equally divided between John's two grandchildren.

(iv) A has two children and no more, John and Mary. John dies before his father, leaving his wife pregnant. Thida A dies leaving Mary surviving him, and in due time a child of John is born. A's property is to be equally divided between Mary and the posthumous child.

Distribution where there are no lineal dependants.

Rules of distribution where intestate has left no lineal descendants.

41. Where an intestate has left no lineal descendants, the rules for the distribution of his property (after deducting the widow's share, if he has left a widow) shall be those contained in sections 42 to 48.

Where intestate's father living.

42. If the intestate's father is living, he shall succeed to the property.

Where intestate's father dead but his mother, brothers and sisters living.

43. If the intestate's father is dead, but the intestate's mother is living and there are also brothers or sisters of the intestate living, and there is no child living of any deceased brother or sister, the mother and each living brother or sister shall succeed to the property in equal shares.

Illustration.

A dies intestate, survived by his mother and two brothers of the full blood, John and Henry, and a sister Mary, who is the daughter of his mother but not of his father. The mother takes one-fourth, each brother takes one-fourth and Mary, the share of half-blood, takes one-fourth.

Where intestate's father dead and his mother, brother or sister, and children of any deceased brother or sister living.

44. If the intestate's father is dead, but the intestate's mother is living, and if any brother or sister and the child or children of any brother or sister who may have died in the intestate's lifetime are also living, then the mother and each living brother or sister, and the living child or children of each deceased brother or sister, shall be entitled to the property in equal shares, such children (if more than one) taking in equal shares only the shares which their respective parents would have taken if living at the intestate's death.

Illustration.

A, the intestate, leaves his mother, his brothers John and Henry, and also one child of a deceased sister, Mary, and two children of George, a deceased brother of the half blood who was the son of his father but not of his mother. The mother takes one-fifth, John and Henry each takes one-fifth, the child of Mary takes one-fifth, and the two children of George divide the remaining one-fifth equally between them.

Where intestate's father dead and his mother and children of any deceased brother or sister living.

45. If the intestate's father is dead, but the intestate's mother is living, and the brothers and sisters are all dead, but all or any of them have left children who survived the intestate, the mother and the child or children of each deceased brother or sister shall be entitled to the property in equal shares, such children (if more than one) taking in equal shares only the shares which their respective parents would have taken if living at the intestate's death.

Illustration.

A, the intestate, leaves no brother or sister, but leaves his mother and one child of a deceased sister, Mary, and two children of a deceased brother, George. The mother takes one-third, the child of Mary takes one-third, and the children of George divide the remaining one-third equally between them.

Where intestate's father dead, but his mother living and no brother, sister, nephew or niece.

46. If the intestate's father is dead, but the intestate's mother is living, and there is neither brother, nor sister, nor child of any brother or sister of the intestate, the property shall belong to the mother.

Where intestate has left neither lineal descendant nor father, nor mother.

47. Where the intestate has left neither lineal descendant, nor father, nor mother, the property shall be divided equally between his brothers and sisters and the child or children of such of them as may have died before him, such children (if more than one) taking in equal shares only the shares which their respective parents would have taken if living at the intestate's death.

Where intestate has left neither lineal descendant, nor parent, nor brother, nor sister.

48. Where the intestate has left neither lineal descendant, nor parent, nor brother, nor sister, his property shall be divided equally among those of his relatives who are in the nearest degree of kindred to him.

Illustrations.

(i) A, the intestate, has left a grandfather and a grandmother and no other relative standing in the same or a nearer degree of kindred to him. They, being in the second degree, will be entitled to the property in equal shares, exclusive of any uncle or aunt of the intestate, uncles and aunts being only in the third degree.

(ii) A, the intestate, has left a great-grandfather, or a great-grandmother, and uncles and aunts, and no other relative standing in the same or a nearer degree of kindred to him. All of these being in the third degree will take equal shares.

(iii) A, the intestate, left a great grandfather, an uncle and a nephew, but no relative standing in a nearer degree of kindred to him. All of these being in the third degree will take equal shares.

(iv) Ten children of one brother or sister of the intestate, and one child of another brother or sister of the intestate, constitute the class of relatives of the nearest degree of kindred to him. They will each take one-eleventh of the property.

Children's advancements not brought into hotchpot.

40. Where a distributive share in the property of a person who has died intestate is claimed by a child, or any descendant of a child, of such person, no money or other property which the intestate may, during his life, have paid, given or settled to, or for the advancement of, the child by whom or by whose descendant the claim is made shall be taken into account in estimating such distributive share.

CHAPTER III.

Special Rules for Parsi Intestates.

Division of property among widow and children of intestate.

50. Where a Parsi dies leaving a widow and children, the property of which he dies intestate shall be divided among the widow and children, so that the share of each son shall be double the share of the widow, and that her share shall be double the share of each daughter.

Division of property among widower and children of intestate.

51. Where a female Parsi dies leaving a widower and children, the property of which she dies intestate shall be divided among the widower and such children, so that his share shall be double the share of each of the children.

Division of property amongst the children of male intestate who leaves no widow.

52. When a Parsi dies leaving children but no widow, the property of which he dies intestate shall be divided amongst the children, so that the share of each son shall be four times the share of each daughter.

Division of property amongst the children of female intestate who leaves no widower.

53. When a female Parsi dies leaving children but no widower, the property of which she dies intestate shall be divided amongst the children in equal shares.

Division of the deceased child's share of intestate's property among the widow or widower and issue of such child.

54. If any child of a Parsi intestate has died in his or her lifetime, the widow or widower and issue of such child shall take the share which such child would have taken if living at the intestate's death in such manner as if such deceased child had died immediately after the intestate's death.

Division of property when the intestate leaves a widow or widower, but no lineal descendants.

55. Where a Parsi dies leaving a widow or widower, but without leaving any lineal descendants,—

- (a) his or her father and mother, if both are living, or one of them if the other is dead, shall take one moiety of the property in respect of which he or she dies intestate, and the widow or widower shall take the other moiety, provided that, where both the father and the mother of the intestate survive him or her, the father's share shall be double the share of the mother;
- (b) where neither the father nor the mother of the intestate survives him or her, the intestate's relatives on the father's side in the order specified in Part I of Schedule II, shall take the moiety which the father and the mother would have taken if they had survived the intestate. The next-of-kin standing first in Part I of that Schedule shall be preferred to those standing second, the second to the third, and so on in succession, provided that the property shall be so distributed as that each male shall take double the share of each female standing in the same degree of propinquity;
- (c) where there are no relatives on the father's side, the intestate's widow or widower shall take the whole.

Division of property when the intestate leaves neither widow nor widower, nor lineal descendants.

56. When a Parsi dies leaving neither lineal descendants nor a widow or widower, his or her next-of-kin, in the order set forth in Part II of Schedule II, shall be entitled to succeed to the whole of the property as to which he or she dies intestate. The next-of-kin standing first in Part II of the same Schedule shall be preferred to those standing second, the second to the third, and so on in succession, provided that the property shall be so distributed as that each male shall take double the share of each female standing in the same degree of propinquity.

PART VI.

TESTAMENTARY SUCCESSION.

CHAPTER I.

Introductory.

Application of certain provisions of Part to a class of wills made by Hindus, etc.

57. The provisions of this Part which are set out in Schedule III shall, subject to the restrictions and modifications specified therein, apply—

- (a) to all wills and codicils made by any Hindu, Buddhist, Sikh or Jain, on or after the first day of September, 1870, within the territories which at the said date were subject to the Lieutenant-Governor of Bengal or within the local limits of the ordinary original civil jurisdiction of the High Courts of Judicature at Madras and Bombay; and
- (b) to all such wills and codicils made outside those territories and limits so far as relates to immoveable property situate within those territories or limits:

Provided that marriage shall not revoke any such will or codicil.

General application of Part.

58. (1) The provisions of this Part shall not apply to testamentary succession to the property of any Muhammadan nor, save as provided by section 57, to testamentary succession to the property of any Hindu, Buddhist, Sikh or Jain; nor shall they apply to any will made before the first day of January, 1866.

(2) Save as provided in sub-section (1) or by any other law for the time being in force, the provisions of this Part shall constitute the law of British India applicable to all cases of testamentary succession.

CHAPTER II.

Of Wills and Codicils.

Person capable of making will.

59. Every person of sound mind not being a minor may dispose of his property by will.

Explanation 1.—A married woman may dispose by will of any property which she could alienate by her own act during her life.

Explanation 2.—Persons who are deaf or dumb or blind are not thereby incapacitated for making a will if they are able to know what they do by it.

Explanation 3.—A person who is ordinarily insane may make a will during an interval in which he is of sound mind.

Explanation 4.—No person can make a will while he is in such a state of mind, whether arising from intoxication or from illness or from any other cause, that he does not know what he is doing.

Illustrations.

(i) A can perceive what is going on in his immediate neighbourhood, and can answer familiar questions, but has not a competent understanding as to the nature of his property, or the persons who are of kindred to him, or in whose favour it would be proper that he should make his will. A cannot make a valid will.

(ii) A executes an instrument purporting to be his will, but he does not understand the nature of the instrument nor the effect of its provisions. This instrument is not a valid will.

(iii) A being very feeble and debilitated, but capable of exercising a judgment as to the proper mode of disposing of his property, makes a will. This is a valid will.

Testamentary guardian.

80. A father, whatever his age may be, may by will appoint a guardian or guardians for his child during minority.

Will obtained by fraud, coercion or importunity.

81. A will or any part of a will, the making of which has been caused by fraud or coercion, or by such importunity as takes away the free agency of the testator, is void.

Illustrations.

(i) A falsely and knowingly represents to the testator that the testator's only child is dead, or that he has done some undutiful act and thereby induces the testator to make a will in his A's favour; such will has been obtained by fraud, and is invalid.

(ii) A, by fraud and deception, prevails upon the testator to bequeath a legacy to him. The bequest is void.

(iii) A, being a prisoner by lawful authority, makes his will. The will is not invalid by reason of the imprisonment.

(iv) A threatens to shoot B, or to burn his house or to cause him to be arrested on a criminal charge, unless he makes a bequest in favour of C. B, in consequence, makes a bequest in favour of C. The bequest is void, the making of it having been caused by coercion.

(v) A, being of sufficient intellect, if undisturbed by the influence of others, to make a will yet being so much under the control of B that he is not a free agent, makes a will, dictated by B. It appears that he would not have executed the will but for fear of B. The will is invalid.

(vi) A, being in so feeble a state of health as to be unable to resist importunity, is pressed by B to make a will of a certain purport and does so merely to purchase peace and in submission to B. The will is invalid.

(vii) A being in such a state of health as to be capable of exercising his own judgment and volition, B uses urgent intercession and persuasion with him to induce him to make a will of a certain purport. A, in consequence of the intercession and persuasion, but in the free exercise of his judgment and volition, makes his will in the manner recommended by B. The will is not rendered invalid by the intercession and persuasion of B.

(viii) A, with a view to obtaining a legacy from B, pays him attention and flatters him and thereby produces in him a capricious partiality to A. B, in consequence of such attention and flattery, makes his will, by which he leaves a legacy to A. The bequest is not rendered invalid by the attention and flattery of A.

Will may be revoked or altered

82. A will is liable to be revoked or altered by the maker of it at any time when he is competent to dispose of his property by will.

CHAPTER III.

Of the Execution of unprivileged Wills.

Execution of unprivileged wills.

83. Every testator, not being a soldier employed in an expedition or engaged in actual warfare, or a mariner at sea, shall execute his will according to the following rules:—

(a) The testator shall sign or shall affix his mark to the will, or it shall be signed by some other person in his presence and by his direction.

- (b) The signature or mark of the testator, or the signature of the person signing for him, shall be so placed that it shall appear that it was intended thereby to give effect to the writing as a will.
- (c) The will shall be attested by two or more witnesses, each of whom has seen the testator sign or affix his mark to the will or has seen some other person sign the will, in the presence and by the direction of the testator, or has received from the testator a personal acknowledgment of his signature or mark, or of the signature of such other person; and each of the witnesses shall sign the will in the presence of the testator, but it shall not be necessary that more than one witness be present at the same time, and no particular form of attestation shall be necessary.

Incorporation of
papers by reference.

84. If a testator, in a will or codicil duly attested, refers to any other document then actually written as expressing any part of his intentions, such document shall be deemed to form a part of the will or codicil in which it is referred to.

CHAPTER IV.

Of privileged wills.

Privileged wills.

85. Any soldier being employed in an expedition or engaged in actual warfare, or any mariner being at sea, may, if he has completed the age of eighteen years, dispose of his property by a will made in the manner provided in section 66. Such wills are called privileged wills.

Illustrations.

(i) A, a medical officer attached to a regiment, is actually employed in an expedition. He is a soldier actually employed in an expedition, and can make a privileged will.

(ii) A is at sea in a merchant-ship, of which he is the purser. He is a mariner, and, being at sea, can make a privileged will.

(iii) A, a soldier serving in the field against insurgents, is a soldier engaged in actual warfare, and as such can make a privileged will.

(iv) A, a mariner of a ship, in the course of a voyage, is temporarily on shore while she is lying in harbour. He is, for the purposes of this section, a mariner at sea, and can make a privileged will.

(v) A, an admiral who commands a naval force, but who lives on shore, and only occasionally goes on board his ship, is not considered as at sea, and cannot make a privileged will.

(vi) A, a mariner serving on a military expedition, but not being at sea, is considered as a soldier, and can make a privileged will.

Mode of making,
and rules for
executing,
privileged wills.

86. (1) Privileged wills may be in writing, or may be made by word of mouth.

(2) The execution of privileged wills shall be governed by the following rules:—

(a) The will may be written wholly by the testator, with his own hand. In such case it need not be signed or attested.

(b) It may be written wholly or in part by another person, and signed by the testator. In such case it need not be attested.

- (c) If the instrument purporting to be a will is written wholly or in part by another person and is not signed by the testator, it shall be deemed to be his will, if it is shown that it was written by the testator's directions or that he recognised it as his will.
- (d) If it appears on the face of the instrument that the execution of it in the manner intended by the testator was not completed, the instrument shall not, by reason of that circumstance, be invalid, provided that his non-execution of it can be reasonably ascribed to some cause other than the abandonment of the testamentary intentions expressed in the instrument.
- (e) If the soldier or mariner has written instructions for the preparation of his will, but has died before it could be prepared and executed, such instructions shall be considered to constitute will.
- (f) If the soldier or mariner has, in the presence of two witnesses, given verbal instructions for the preparation of his will, and they have been reduced into writing in his lifetime, but he has died before the instrument could be prepared and executed, such instructions shall be considered to constitute his will, although they may not have been reduced into writing in his presence, nor read over to him.
- (g) The soldier or mariner may make a will by word of mouth by declaring his intentions before two witnesses present at the same time.
- (h) A will made by word of mouth shall be null at the expiration of one month after the testator being still alive, has ceased to be entitled to make a privileged will.

CHAPTER V.

(Of the Attestation, Revocation, Alteration and Revival of Wills.)

Effect of gift to
attesting witness.

87. A will shall not be deemed to be insufficiently attested by reason of any benefit thereby given either by way of bequest or by way of appointment to any person attesting it, or to his or her wife or husband; but the bequest or appointment shall be void so far as concerns the persons so attesting, or the wife or husband of such person, or any person claiming under either of them.

Explanation.—A legatee under a will does not lose his legacy by attesting a codicil which confirms the will.

Witness not
disqualified by
interest or by being
executor.

88. No person, by reason of interest in, or of his being an executor of, a will shall be disqualified as a witness to prove the execution of the will or to prove the validity or invalidity thereof.

Revocation of will
by testator's
marriage.

89. Every will shall be revoked by the marriage of the maker, except a will made in exercise of a power of appointment, when the property over which the power of appointment is exercised would not, in default of such appointment, pass to his or her executor or administrator, or to the person entitled in case of intestacy.

Explanation.—Where a man is invested with power to determine the disposition of property of which he is not the owner, he is said to have power to appoint such property.

Revocation of
unprivileged will
or codicil

70. No unprivileged will or codicil, nor any part thereof, shall be revoked otherwise than by marriage, or by another will or codicil, or by some writing declaring an intention to revoke the same and executed in the manner in which an unprivileged will is hereinbefore required to be executed, or by the burning, tearing or otherwise destroying the same by the testator or by some person in his presence and by his direction with the intention of revoking the same.

Illustrations.

(1) A has made an unprivileged will. Afterwards A makes another unprivileged will which purports to revoke the first. This is a revocation.

(2) A has made an unprivileged will. Afterwards, A, being entitled to make a privileged will, makes a privileged will which purports to revoke his unprivileged will. This is a revocation.

Effect of
obliteration,
interlineation or
alteration in
unprivileged will

71. No obliteration, interlineation or other alteration made in any unprivileged will after the execution thereof shall have any effect, except so far as the words or meaning of the will have been thereby rendered illegible or undiscernible, unless such alteration has been executed in like manner as hereinbefore is required for the execution of the will:

Provided that the will, as so altered, shall be deemed to be duly executed if the signature of the testator and the subscription of the witnesses is made in the margin or on some other part of the will opposite or near to such alteration, or at the foot or end of or opposite to a memorandum referring to such alteration, and written at the end or some other part of the will.

Revocation of
privileged will or
codicil

72. A privileged will or codicil may be revoked by the testator by an unprivileged will or codicil, or by any act expressing an intention to revoke it and accompanied by such formalities as would be sufficient to give validity to a privileged will, or by the burning, tearing or otherwise destroying the same by the testator, or by some person in his presence and by his direction, with the intention of revoking the same.

Explanation.—In order to the revocation of a privileged will or codicil by an act accompanied by such formalities as would be sufficient to give validity to a privileged will, it is not necessary that the testator should at the time of doing that act be in a situation which entitles him to make a privileged will.

Revival of
unprivileged will

73. (1) No unprivileged will or codicil, nor any part thereof, which has been revoked in any manner, shall be revived otherwise than by the re-execution thereof, or by a codicil executed in manner hereinbefore required, and showing an intention to revive the same.

(2) When any will or codicil, which has been partly revoked and afterwards wholly revoked, is revived, such revival shall not extend to so much thereof as has been revoked before the revocation of the whole thereof, unless an intention to the contrary is shown by the will or codicil.

CHAPTER VI

OF THE CONSTRUCTION OF WILLS.

Wordings of will

74. It is not necessary that any technical words or terms of art be used in a will, but only that the wording be such that the intentions of the testator can be known therefrom.

Inquire to determine questions as to object or subject of will.

75. For the purpose of determining questions as to what person or what property is denoted by any words used in a will, a Court shall inquire into every material fact relating to the persons who claim to be interested under such will, the property which is claimed as the subject of disposition, the circumstances of the testator and of his family, and into every fact a knowledge of which may conduce to the right application of the words which the testator has used.

Illustrations.

(i) A, by his will, bequeaths 1,000 rupees to his eldest son or to his youngest grandchild, or to his cousin, Mary. A Court may make inquiry in order to ascertain to what person the description in the will applies.

(ii) A, by his will, leaves to B "my estate called Black Acre." It may be necessary to take evidence in order to ascertain what is the subject-matter of the bequest; that is to say, what estate of the testator's is called Black Acre.

(iii) A, by his will, leaves to B "the estate which I purchased of C." It may be necessary to take evidence in order to ascertain what estate the testator purchased of C.

Misnomer or misdescription of object.

76. (1) Where the words used in a will to designate or describe a legatee or a class of legatees sufficiently show what is meant, an error in the name or description shall not prevent the legacy from taking effect.

(2) A mistake in the name of a legatee may be corrected by a description of him, and a mistake in the description of a legatee may be corrected by the name.

Illustrations.

(i) A bequeaths a legacy to "Thomas, the second son of my brother John." The testator has an only brother named John, who has no son named Thomas, but has a second son whose name is William. William will have the legacy.

(ii) A bequeaths a legacy "to Thomas, the second son of my brother John." The testator has an only brother, named John, whose first son is named Thomas, and whose second son is named William. Thomas will have the legacy.

(iii) The testator bequeaths his property "to A and B, the legitimate children of C." C has no legitimate child, but has two illegitimate children, A and B. The bequest to A and B takes effect, although they are illegitimate.

(iv) The testator gives his residuary estate to be divided among "my seven children" and, proceeding to enumerate them, mentions six names only. This omission will not prevent the seventh child from taking a share with the others.

(v) The testator, having six grandchildren, makes a bequest to "my six grandchildren" and, proceeding to mention them by their Christian names, mentions one twice over omitting another altogether. The one whose name is not mentioned will take a share with the others.

(vi) The testator bequeaths "1,000 rupees to each of the three children of A." At the date of the will A has four children. Each of these four children will, if he survives the testator, receive a legacy of 1,000 rupees.

When words may be supplied.

77. Where any word material to the full expression of the meaning has been omitted, it may be supplied by the context.

Illustration.

The testator gives a legacy of "five hundred" to his daughter A and a legacy of "five hundred rupees" to his daughter B. A will take a legacy of five hundred rupees.

Rejection of erroneous particulars in description of subject.

78. If the thing which the testator intended to bequeath can be sufficiently identified from the description of it given in the will, but some parts of the description do not apply, such parts of the description shall be rejected as erroneous, and the bequest shall take effect.

Illustrations.

(i) A bequeaths to B "my marsh-lands lying in L and in the occupation of X." The testator had marsh-lands lying in L but had no marsh-lands in the occupation of X. The words "in the occupation of X" shall be rejected as erroneous and the marsh-lands of the testator lying in L will pass by the bequest.

(ii) The testator bequeaths to A "my zamindari of Rampur." He had an estate at Rampur but it was a taluq and not a zamindari. The taluq passes by this bequest.

When part of description may not be rejected as erroneous

78. If a will mentions several circumstances as descriptive of the thing which the testator intends to bequeath, and there is any property of his in respect of which all those circumstances exist, the bequest shall be considered as limited to such property, and it shall not be lawful to reject any part of the description as erroneous, because the testator had other property to which such part of the description does not apply.

Explanation.—In judging whether a case falls within the meaning of this section, any words which would be liable to rejection under section 78 shall be deemed to have been struck out of the will.

Illustrations

(i) A bequeaths to B "my marsh lands lying in L and in the occupation of X." The testator had marsh lands lying in L, some of which were in the occupation of X, and some not in the occupation of X. The bequest will be considered as limited to such of the testator's marsh-lands lying in L as were in the occupation of X.

(ii) A bequeaths to B "my marsh lands lying in L and in the occupation of X, comprising 1,000 bighas of lands." The testator had marsh-lands lying in L some of which were in the occupation of X and some not in the occupation of X. The measurement is wholly inapplicable to the marsh-lands of either class, or to the whole taken together. The measurement will be considered as struck out of the will, and such of the testator's marsh lands lying in L as were in the occupation of X shall alone pass by the bequest.

Extrinsic evidence admissible in case of patent ambiguity

80. Where the words of a will are unambiguous, but it is found by extrinsic evidence that they admit of applications, one only of which can have been intended by the testator, extrinsic evidence may be taken to show which of these applications was intended.

Illustrations

(i) A man, having two cousins of the name of Mary, bequeaths a sum of money to "my cousin Mary." It appears that there are two persons, each answering the description in the will. That description, therefore, admits of two applications, only one of which can have been intended by the testator. Evidence is admissible to show which of the two applications was intended.

(ii) A, by his will, leaves to B "my estate called Sultanpur Khurd." It turns out that he had two estates called Sultanpur Khurd. Evidence is admissible to show which estate was intended.

Extrinsic evidence inadmissible in case of patent ambiguity or deficiency

81. Where there is an ambiguity or deficiency on the face of a will, no extrinsic evidence as to the intentions of the testator shall be admitted.

Illustrations

(i) A man has an aunt, Caroline, and a cousin, Mary, and has no aunt of the name of Mary. By his will he bequeaths 1,000 rupees to "my aunt, Caroline" and 1,000 rupees to "my cousin, Mary" and afterwards bequeaths 2,000 rupees to "my before mentioned aunt, Mary." There is no person to whom the description given in the will can apply, and evidence is not admissible to show who was meant by "my before mentioned aunt, Mary." The bequest is therefore void for uncertainty under section 80.

(ii) A bequeaths 1,000 rupees to leaving a blank for the name of the legatee. Evidence is not admissible to show what name the testator intended to insert.

(iii) A bequeaths to B rupees, or "my estate of . . ." Evidence is not admissible to show what sum or what estate the testator intended to insert.

Meaning of clause to be collected from entire will.

32. The meaning of any clause in a will is to be collected from the entire instrument, and all its parts are to be construed with reference to each other.

Illustrations.

(i) The testator gives to B a specific fund or property at the death of A, and by a subsequent clause gives the whole of his property to A. The effect of the several clauses taken together is to vest the specific fund or property in A for life, and after his decease in B; it appearing from the bequest to B that the testator meant to use in a restricted sense the words in which he describes what he gives to A.

(ii) Where a testator having an estate, one part of which is called Black Acre, bequeaths the whole of his estate to A, and in another part of his will bequeaths Black Acre to B, the latter bequest is to be read as an exception out of the first as if he had said "I give Black Acre to B, and all the rest of my estate to A."

When words may be understood in restricted sense, and when in wider sense than point.

33. General words may be understood in a restricted sense where it may be collected from the will that the testator meant to use them in a restricted sense; and words may be understood in a wider sense than that which they usually bear, where it may be collected from the other words of the will that the testator meant to use them in such wider sense.

Illustrations.

(i) A testator gives to A "my farm in the occupation of B," and to C "all my marsh-lands in L." Part of the farm in the occupation of B consists of marsh-lands in L, and the testator also has other marsh-lands in L. The general words, "all my marsh-lands in L," are restricted by the gift to A. A takes the whole of the farm in the occupation of B, including that portion of the farm which consists of marsh-lands in L.

(ii) The testator (a sailor on ship-board) bequeathed to his mother his gold ring, buttons and chest of clothes, and to his friend, A (a shipmate), his red box, clasp-knife and all things not before bequeathed. The testator's share in a house does not pass to A under this bequest.

(iii) A, by his will, bequeathed to B all his household furniture, plate, linen, china, books, pictures and all other goods of whatever kind; and afterwards bequeathed to B a specified part of his property. Under the first bequest, B is entitled only to such articles of the testator's as are of the same nature with the articles therein enumerated.

Which of two possible constructions preferred.

34. Where a clause is susceptible of two meanings according to one of which it has some effect, and according to the other of which it can have none, the former shall be preferred.

No part rejected, if it can be reasonably construed.

35. No part of a will shall be rejected as destitute of meaning if it is possible to put a reasonable construction upon it.

Interpretation of words repeated in different parts of will.

36. If the same words occur in different parts of the same will, they shall be taken to have been used everywhere in the same sense, unless a contrary intention appears.

Testator's intention to be effectuated as far as possible.

37. The intention of the testator shall not be set aside because it cannot take effect to the full extent, but effect is to be given to it as far as possible.

Illustration.

The testator by a will made on his death-bed bequeathed all his property to C D for life and after his death to a certain hospital. The intention of the testator cannot take effect to its full extent because the gift to the hospital is void under section 118, but it will take effect so far as regards the gift to C D.

The last of two inconsistent clauses prevails.

88. Where two clauses or gifts in a will are irreconcilable, so that they cannot possibly stand together, the last shall prevail.

Illustrations.

(i) The testator by the first clause of his will leaves his estate of Rammagar "to A," and by the last clause of his will leaves it "to B and not to A." B will have it.

(ii) If a man at the commencement of his will gives his house to A, and at the close of it directs that his house shall be sold and the proceeds invested for the benefit of B, the latter disposition will prevail.

Will or bequest void for uncertainty.

89. A will or bequest not expressive of any definite intention is void for uncertainty.

Illustration.

If a testator says "I bequeath goods to A," or "I bequeath to A," or "I leave to A all the goods mentioned in the Schedule" and no Schedule is found, or "I bequeath 'money,' 'wheat,' 'oil' or the like, without saying how much, this is void.

Words describing subject refer to property answering description at testator's death.

90. The description contained in a will of property, the subject of gift, shall, unless a contrary intention appears by the will, be deemed to refer to and comprise the property answering that description at the death of the testator.

Power of appointment executed by general bequest.

91. Unless a contrary intention appears by the will, a bequest of the estate of the testator shall be construed to include any property which he may have power to appoint by will to any object he may think proper, and shall operate as an execution of such power; and a bequest of property described in a general manner shall be construed to include any property to which such description may extend, which he may have power to appoint by will to any object he may think proper, and shall operate as an execution of such power.

Implied gift to objects of power in default of appointment.

92. Where property is bequeathed to or for the benefit of certain objects as a specified person may appoint or for the benefit of certain objects in such proportions as a specified person may appoint, and the will does not provide for the event of no appointment being made; if the power given by the will is not exercised, the property belongs to all the objects of the power in equal shares.

Illustration.

A, by his will, bequeaths a fund to his wife, for her life, and directs that at her death it shall be divided among his children in such proportions as she shall appoint. The widow dies without having made any appointment. The fund will be divided equally among the children.

Bequest to "heirs," etc., of particular persons without qualifying terms.

93. Where a bequest is made to the "heirs" or "right heirs" or "relations" or "nearest relations" or "family" or "kindred" or "nearest of kin" or "next-of-kin" of a particular person without any qualifying terms, and the class so designated forms the direct and independent object of the bequest, the property bequeathed shall be distributed as if it had belonged to such person and he had died intestate in respect of it, leaving assets for the payment of his debts independently of such property.

Illustrations.

(i) A leaves his property "to my own nearest relations". The property goes to those who would be entitled to it if A had died intestate, leaving assets for the payment of his debts independently of such property.

(ii) A bequeaths 10,000 rupees "to B for his life, and, after the death of B, to my own right heirs". The legacy after B's death belongs to those who would be entitled to it if it had formed part of A's unbequeathed property.

(iii) A leaves his property to B; but if B dies before him, to B's next-of-kin; B dies before A; the property devolves as if it had belonged to B, and he had died intestate, leaving assets for the payment of his debts independently of such property.

(iv) A leaves 10,000 rupees "to B for his life, and after his decease to the heirs of C". The legacy goes as if it had belonged to C, and he had died intestate, leaving assets for the payment of his debts independently of the legacy.

Bequest to
"representative",
etc., of particular
person.

84. Where a bequest is made to the "representatives" or "legal representatives" or "personal representatives" or "executors or administrators" of a particular person, and the class so designated forms the direct and independent object of the bequest, the property bequeathed shall be distributed as if it had belonged to such person and he had died intestate in respect of it.

Illustration.

A bequest is made to the "legal representatives" of A. A has died intestate and insolvent. B is his administrator. B is entitled to receive the legacy, and will apply it in the first place to the discharge of such part of A's debts as may remain unpaid; if there be any surplus B will pay it to those persons who at A's death would have been entitled to receive any property of A's which might remain after payment of his debts, or to the representatives of such person.

Bequest without
words of
limitation

85. Where property is bequeathed to any person, he is entitled to the whole interest of the testator therein, unless it appears from the will that only a restricted interest was intended for him.

Bequest in
alternative.

86. Where property is bequeathed to a person with a bequest in the alternative to another person or to a class of persons, then, if a contrary intention does not appear by the will, the legatee first named shall be entitled to the legacy if he is alive at the time when it takes effect; but if he is then dead, the person or class of persons named in the second branch of the alternative shall take the legacy.

Illustrations.

(i) A bequest is made to A or to B. A survives the testator. B takes nothing.

(ii) A bequest is made to A or to B. A dies after the date of the will, and before the testator. The legacy goes to B.

(iii) A bequest is made to A or to B. A is dead at the date of the will. The legacy goes to B.

(iv) Property is bequeathed to A or his heirs. A survives the testator. A takes the property absolutely.

(v) Property is bequeathed to A or his nearest of kin. A dies in the lifetime of the testator. Upon the death of the testator, the bequest to A's nearest of kin takes effect.

(vi) Property is bequeathed to A for life, and after his death to B or his heirs. A and B survive the testator. B dies in A's lifetime. Upon A's death the bequest to the heirs of B takes effect.

(vii) Property is bequeathed to A for life, and after his death to B or his heirs. B dies in the testator's lifetime. A survives the testator. Upon A's death the bequest to the heirs of B takes effect.

Effect of words describing a class added to bequest to person.

87. Where property is bequeathed to a person, and words are added which describe a class of persons but do not denote them as direct objects of a distinct and independent gift, such person is entitled to the whole interest of the testator therein, unless a contrary intention appears by the will.

Illustrations.

(i) A bequest is made—

- to A and his children,
- to A and his children by his present wife,
- to A and his heirs,
- to A and the heirs of his body,
- to A and the heirs male of his body,
- to A and the heirs female of his body,
- to A and his issue,
- to A and his family,
- to A and his descendants,
- to A and his representatives,
- to A and his personal representatives,
- to A, his executors and administrators

In each of these cases, A takes the whole interest which the testator had in the property.

(ii) A bequest is made to A and his brothers. A and his brothers are jointly entitled to the legacy.

(iii) A bequest is made to A for life and after his death to his issue. At the death of A the property belongs in equal shares to all persons who then answer the description of issue of A.

Bequest to class of persons under general description only.

88. Where a bequest is made to a class of persons under a general description only, no one to whom the words of the description are not in their ordinary sense applicable shall take the legacy.

Construction of terms.

89. In a will—

(a) the word "children" applies only to lineal descendants in the first degree of the person whose "children" are spoken of;

(b) the word "grandchildren" applies only to lineal descendants in the second degree of the person whose "grandchildren" are spoken of;

(c) the words "nephews" and "nieces" apply only to children of brothers or sisters;

(d) the words "cousins," or "first cousins," or "cousins-german," apply only to children of brothers or of sisters of the father or mother of the person whose "cousins," or "first cousins," or "cousins-german," are spoken of;

(e) the words "first cousins once removed" apply only to children of cousins-german, or to cousins-german of a parent of the person whose "first cousins once removed" are spoken of;

(f) the words "second cousins" apply only to grandchildren of brothers or of sisters of the grandfather or grandmother of the person whose "second cousins" are spoken of;

(g) the words "issue" and "descendants" apply to all lineal descendants whatever of the person whose "issue" or "descendants" are spoken of;

(h) words expressive of collateral relationship apply alike to relatives of full and of half blood; and

(i) all words expressive of relationship apply to a child in the womb who is afterwards born alive.

Words expressing relationship denote only legitimate relatives or failing such relatives reputed legitimate.

100. In the absence of any intimation to the contrary in a will, the word "child," the word "son," the word "daughter," or any word which expresses relationship, is to be understood as denoting only a legitimate relative, or, where there is no such legitimate relative, a person who has acquired, at the date of the will, the reputation of being such relative.

Illustrations.

(i) A having three children, B, C and D, of whom B and C are legitimate and D is illegitimate, leaves his property to be equally divided among "my children." The property belongs to B and C in equal shares, to the exclusion of D.

(ii) A, having a niece of illegitimate birth, who has acquired the reputation of being his niece, and having no legitimate niece, bequeaths a sum of money to his niece. The illegitimate niece is entitled to the legacy.

(iii) A, having in his will enumerated his children, and named as one of them B, who is illegitimate, leaves a legacy to "my said children." B will take a share in the legacy along with the legitimate children.

(iv) A leaves a legacy to "the children of B". B is dead and has left none but illegitimate children. All those who had at the date of the will acquired the reputation of being the children of B are objects of the gift.

(v) A bequeaths a legacy to "the children of B". B never had any legitimate child. C and D had, at the date of the will, acquired the reputation of being children of B. After the date of the will and before the death of the testator, E and F were born, and acquired the reputation of being children of B. Only C and D are objects of the bequest.

(vi) A makes a bequest in favour of his child by a certain woman, not his wife. B had acquired at the date of the will the reputation of being the child of A by the woman designated. B takes the legacy.

(vii) A makes a bequest in favour of his child to be born of a woman who never becomes his wife. The bequest is void.

(viii) A makes a bequest in favour of the child of which a certain woman, not married to him, is pregnant. The bequest is valid.

Rules of construction where will purports to make two bequests to same person.

101. Where a will purports to make two bequests to the same person, and a question arises whether the testator intended to make the second bequest instead of or in addition to the first; if there is nothing in the will to show what he intended, the following rules shall have effect in determining the construction to be put upon the will:—

- (a) If the same specific thing is bequeathed twice to the same legatee in the same will or in the will and again in the codicil, he is entitled to receive that specific thing only.
- (b) Where one and the same will or one and the same codicil purports to make, in two places, a bequest to the same person of the same quantity or amount of anything, he shall be entitled to one such legacy only.
- (c) Where two legacies of unequal amount are given to the same person in the same will, or in the same codicil, the legatee is entitled to both.
- (d) Where two legacies, whether equal or unequal in amount, are given to the same legatee, one by a will and the other by a codicil, or each by a different codicil, the legatee is entitled to both legacies.

Explanation.—In clauses (a) to (d) of this section, the word "will" does not include a codicil.

Illustrations.

(i) A, having ten shares, and no more, in the Imperial Bank of India, made his will, which contains near its commencement the words "I bequeath my ten shares in the Imperial Bank of India to B." After other bequests, the will concludes with the words "and I bequeath my ten shares in the Imperial Bank of India to B". B is entitled simply to receive A's ten shares in the Imperial Bank of India.

(ii) A, having one diamond ring, which was given him by B, bequeaths to C the diamond ring which was given by B. A afterwards made a codicil to his will, and thereby, after giving other legacies, he bequeathed to C the diamond ring which was given him by B. C can claim nothing except the diamond ring which was given to A by B.

(iii) A, by his will, bequeaths to B the sum of 5,000 rupees and afterwards in the same will repeats the bequest in the same words. B is entitled to one legacy of 5,000 rupees only.

(iv) A, by his will, bequeaths to B the sum of 5,000 rupees and afterwards in the same will bequeaths to B the sum of 5,000 rupees. B is entitled to receive 11,000 rupees.

(v) A, by his will, bequeaths to B 5,000 rupees and by a codicil to the will he bequeaths to him 5,000 rupees. B is entitled to receive 10,000 rupees.

(vi) A, by one codicil to his will, bequeaths to B 5,000 rupees and by another codicil bequeaths to him 6,000 rupees. B is entitled to receive 11,000 rupees.

(vii) A, by his will, bequeaths "500 rupees to B because she was my nurse," and in another part of the will bequeaths 500 rupees to B "because she went to England with my children." B is entitled to receive 1,000 rupees.

(viii) A, by his will, bequeaths to B the sum of 5,000 rupees and also, in another part of the will, an annuity of 400 rupees. B is entitled to both legacies.

(ix) A, by his will, bequeaths to B the sum of 5,000 rupees and also bequeaths to him the sum of 5,000 rupees if he shall attain the age of 18. B is entitled absolutely to one sum of 5,000 rupees, and takes a contingent interest in another sum of 5,000 rupees.

Constitution of residuary legatee.

102. A residuary legatee may be constituted by any words that show an intention on the part of the testator that the person designated shall take the surplus or residue of his property.

Illustrations.

(i) A makes her will, consisting of several testamentary papers, in one of which are contained the following words:—"I think there will be something left, after all funeral expenses, etc., to give to B, now at school, towards equipping him to any profession he may hereafter be appointed to". B is constituted residuary legatee.

(ii) A makes his will, with the following passage at the end of it:—"I believe there will be found sufficient in my banker's hands to defray and discharge my debts, which I hereby desire B to do, and keep the residue for her own use and pleasure". B is constituted the residuary legatee.

(iii) A bequeaths all his property to B, except certain stocks and funds, which he bequeaths to C. B is the residuary legatee.

Property to which residuary legatee entitled.

103. Under a residuary bequest, the legatee is entitled to all property belonging to the testator at the time of his death, of which he has not made any other testamentary disposition which is capable of taking effect.

Illustration.

A by his will bequeaths certain legacies, of which one is void under section 118, and another lapses by the death of the legatee. He bequeaths the residue of his property to B. After the date of his will A purchases a zamindari, which belongs to him at the time of his death. B is entitled to the two legacies and the zamindari as part of the residue.

Time of vesting legacy in general terms.

104. If a legacy is given in general terms without specifying the time when it is to be paid, the legatee has a vested interest in it from the day of the death of the testator, and, if he dies without having received it, it shall pass to his representatives.

In what case legacy lapses.

105. (1) If the legatee does not survive the testator, the legacy cannot take effect, but shall lapse and form part of the residue of the testator's property, unless it appears by the will that the testator intended that it should go to some other person.

(9) In order to entitle the representatives of the legatee to receive the legacy, it must be proved that he survived the testator.

Illustrations.

(i) The testator bequeaths to B "500 rupees which B owes me". B dies before the testator; the legacy lapses.

(ii) A bequest is made to A and his children. A dies before the testator, or happens to be dead when the will is made. The legacy to A and his children lapses.

(iii) A legacy is given to A, and, in case of his dying before the testator, to B. A dies before the testator. The legacy goes to B.

(iv) A sum of money is bequeathed to A for life, and after his death to B. A dies in the lifetime of the testator; B survives the testator. The bequest to B takes effect.

(v) A sum of money is bequeathed to A on his completing his eighteenth year, and in case he should die before he completes his eighteenth year, to B. A completes his eighteenth year, and dies in the lifetime of the testator. The legacy to A lapses and the bequest to B does not take effect.

(vi) The testator and the legatee perished in the same ship-wreck. There is no evidence to show which died first. The legacy lapses.

Legacy does not lapse if one of two joint legatees die before testator.

106. If a legacy is given to two persons jointly, and one of them dies before the testator, the other legatee takes the whole.

Illustration.

The legacy is simply to A and B. A dies before the testator. B takes the legacy.

Effect of words showing testator's intention to give distinct shares.

107. If a legacy is given to legatees in words which show that the testator intended to give them distinct shares of it, then, if any legatee dies before the testator, so much of the legacy as was intended for him shall fall into the residue of the testator's property.

Illustration.

A sum of money is bequeathed to A, B and C, to be equally divided among them. A dies before the testator. B and C will only take so much as they would have had if A had survived the testator.

When lapsed share goes as undisposed of.

108. Where a share which lapses is a part of the general residue bequeathed by the will, that share shall go as undisposed of.

Illustration.

The testator bequeaths the residue of his estate to A, B and C, to be equally divided between them. A dies before the testator. His one-third of the residue goes as undisposed of.

When bequest to testator's child or lineal descendant does not lapse on his death in testator's lifetime.

109. Where a bequest has been made to any child or other lineal descendant of the testator, and the legatee dies in the lifetime of the testator, but any lineal descendant of his survives the testator, the bequest shall not lapse, but shall take effect as if the death of the legatee had happened immediately after the death of the testator, unless a contrary intention appears by the will.

Illustration.

A makes his will, by which he bequeaths a sum of money to his son, B, for his own absolute use and benefit. B dies before A, leaving a son, C, who survives A, and having made his will whereby he bequeaths all his property to his widow, D. The money goes to B.

Bequest to A for benefit of B does not lapse by A's death.

110. Where a bequest is made to one person for the benefit of another, the legacy does not lapse by the death, in the testator's lifetime, of the person to whom the bequest is made.

Survivorship in case of bequest to described class.

111. Where a bequest is made simply to a described class of persons, nothing bequeathed shall go only to such as are alive at the testator's death.

Exception.—If property is bequeathed to a class of persons described as standing in a particular degree of kindred to a specified individual, but their possession of it is deferred until a time later than the death of the testator by a reason of a prior bequest or otherwise, the property shall at that time go to such of them as are then alive, and to the representatives of any of them who have died since the death of the testator.

Illustrations.

(i) A bequeaths 1,000 rupees to "the children of B" without saying when it is to be distributed among them. B had died previous to the date of the will, leaving three children, C, D and E. E died after the date of the will, but before the death of A. C and D survive A. The legacy will belong to C and D, to the exclusion of the representatives of E.

(ii) A lease for years of a house was bequeathed to A for his life and after his decease to the children of B. At the death of the testator, B had two children living, C and D, and he never had any other child. Afterwards, during the lifetime of A, C died leaving E, his executor. D has survived A. D and E are jointly entitled to so much of the lease hold term as remains unexpired.

(iii) A sum of money was bequeathed to A for her life, and after her decease, to the children of B. At the death of the testator B had two children living, C and D, and, after that event two children, E and F, were born to B. C and E died in the lifetime of A, C having made a will, E having made no will. A has died leaving D and F surviving her. The legacy was to be divided into four equal parts, one of which is to be paid to the executor of C, one to D, one to the administrator of E, and one to F.

(iv) A bequeaths one third of his lands to B for his life, and after his decease to the sisters of B. At the death of the testator, B had two sisters living, C and D, and after that event another sister E was born. C died during the life of B, D and E have survived B. One-third of A's lands belong to D, E and the representatives of C, in equal shares.

(v) A bequeaths 1,000 rupees to B for life and after his death equally among the children of C. Up to the death of B, C had not had any child. The bequest after the death of B is void.

(vi) A bequeaths 1,000 rupees to "all the children born or to be born" of B to be divided among them at the death of C. At the death of the testator, B has two children living, D and E. After the death of the testator, but in the lifetime of C, two other children, F and G, are born to B. After the death of C, another child is born to B. The legacy belongs to D, E, F and G, to the exclusion of the after-born child of B.

(vii) A bequeaths a fund to the children of B to be divided among them when the eldest shall attain majority. At the testator's death B had one child living, named C. He afterwards had two other children, named D and E. E died, but C and D were living when C attained majority. The fund belongs to C, D and the representatives of E, to the exclusion of any child who may be born to B after C's attaining majority.

CHAPTER VII

Of void Bequests.

Bequest to a person by particular description, who is not in existence at testator's death.

112. Where a bequest is made to a person by a particular description, and there is no person in existence at the testator's death who answers the description, the bequest is void.

Exception.—If property is bequeathed to a person described as standing in a particular degree of kindred to a specified individual, but his possession of it is deferred until a time later than the death of the testator, by reason of a prior bequest or otherwise; and if a person answering the description is alive at the death of the testator, or comes into existence between that event and such later time, the property shall, at such later time, go to that person, or, if he is dead, to his representatives.

Illustrations.

(i) A bequeaths 1,000 rupees to the eldest son of B. At the death of the testator, B has no son. The bequest is void.

(ii) A bequeaths 1,000 rupees to B for life, and after his death to the eldest son of C. At the death of the testator, C had no son. Afterwards, during the life of B, a son is born to C. Upon B's death the legacy goes to C's son.

(iii) A bequeaths 1,000 rupees to B for life, and after his death to the eldest son of C. At the death of the testator, C had no son. Afterwards, during the life of B, a son, named D, is born to C, D dies, then B dies. The legacy goes to the representative of D.

(iv) A bequeaths his estate of Green Acre to B for life, and at his decease, to the eldest son of C. Up to the death of B, C has had no son. The bequest to C's eldest son is void.

(v) A bequeaths 1,000 rupees to the eldest son of C, to be paid to him after the death of B. At the death of the testator, C has no son, but a son is afterwards born to him during the life of B and is alive at B's death. C's son is entitled to the 1,000 rupees.

Bequest to person not in existence at testator's death, subject to prior bequest.

112. Where a bequest is made to a person not in existence at the time of the testator's death, subject to a prior bequest contained in the will, the later bequest shall be void, unless it comprises the whole of the remaining interest of the testator in the thing bequeathed.

Illustrations.

(i) Property is bequeathed to A for his life, and after his death to his eldest son for life and after the death of the latter to his eldest son. At the time of the testator's death, A has no son. Here the bequest to A's eldest son is a bequest to a person not in existence at the testator's death. It is not a bequest of the whole interest that remains to the testator. The bequest to A's eldest son for his life is void.

(ii) A fund is bequeathed to A for his life, and after his death to his daughters. A survives the testator. A has daughters some of whom were not in existence at the testator's death. The bequest to A's daughters comprises the whole interest that remains to the testator in the thing bequeathed. The bequest to A's daughters is valid.

(iii) A fund is bequeathed to A for his life, and after his death to his daughters, with a direction that, if any of them marries under the age of eighteen, her portion shall be settled so that it may belong to herself for life and may be divisible among her children after her death. A has no daughters living at the time of the testator's death, but has daughters born afterwards who survive him. Here the direction for a settlement has the effect in the case of each daughter who marries under eighteen of substituting for the absolute bequest to her a bequest to her merely for her life; that is, to say, a bequest to a person not in existence at the time of the testator's death of something which is less than the whole interest that remains to the testator in the thing bequeathed. The direction to settle the fund is void.

(iv) A bequeaths a sum of money to B for life, and directs that upon the death of B the fund shall be settled upon his daughter, so that the portion of each daughter may belong to herself for life, and may be divided among her children after her death. B has no daughter living at the time of the testator's death. In this case the only bequest to the daughters of B is contained in the direction to settle the fund, and this direction amounts to a bequest to persons not yet born, of a life-interest in the fund, that is to say, of something which is less than the whole interest that remains to the testator in the thing bequeathed. The direction to settle the fund upon the daughters of B is void.

Rule against perpetuity.

114. No bequest is valid whereby the vesting of the thing bequeathed may be delayed beyond the lifetime of one or more persons living at the testator's death and the minority of some persons who shall be in existence at the expiration of that period, and to whom, if he attains full age, the thing bequeathed is to belong.

Illustrations.

(i) A fund is bequeathed to A for his life and after his death to B for his life; and after B's death to such of the sons of B as shall first attain the age of 25. A and B survive the testator. Here the son of B who shall first attain the age of 25 may be a son born after the death of the testator; such son may not attain 25 until more than 18 years have elapsed from the death of the longer liver of A and B; and the vesting of the fund may thus be delayed beyond the lifetime of A and B and the minority of the sons of B. The bequest after B's death is void.

(ii) A fund is bequeathed to A for his life, and after his death to B for his life, and after B's death to such of B's sons as shall first attain the age of 25. B dies in the lifetime of the testator, leaving one or more sons. In this case the sons of B are persons living at the time of the testator's decease, and the time when either of them will attain 25 necessarily falls within his own lifetime. The bequest is valid.

(iii) A fund is bequeathed to A for his life, and after his death to B for his life, with a direction that after B's death it shall be divided amongst such of B's children as shall attain the age of 18, but that, if no child of B shall attain that age, the fund shall go to C. Here the time for the division of the fund must arrive at the latest at the expiration of 18 years from the death of B, a person living at the testator's decease. All the bequests are valid.

(iv) A fund is bequeathed to trustees for the benefit of the testator's daughters, with a direction that, if any of them marry under age, her share of the fund shall be settled so as to devolve after her death upon such of her children as shall attain the age of 18. Any daughter of the testator to whom the direction applies must be in existence at his decease, and any portion of the fund which may eventually be settled as directed must vest not later than 18 years from the death of the daughters whose share it was. All these provisions are valid.

Bequest to a class some of whom may come under rules in sections 113 and 114.

113. If a bequest is made to a class of persons with regard to some of whom it is inoperative by reason of the provisions of section 113 or section 114, such bequest shall be wholly void.

Illustrations.

(i) A fund is bequeathed to A for life, and after his death to all his children who shall attain the age of 25. A survives the testator, and has some children living at the testator's death. Each child of A's living at the testator's death must attain the age of 25 (if at all) within the limits allowed for a bequest. But A may have children after the testator's decease, some of whom may not attain the age of 25 until more than 18 years have elapsed after the decease of A. The bequest to A's children, therefore, is inoperative as to any child born after the testator's death; and, as it is given to all his children as a class it is not good as to any division of that class, but is wholly void.

(ii) A fund is bequeathed to A for his life, and after his death to B, C, D and all other children of A who shall attain the age of 25. B, C, D are children of A living at the testator's decease. In all other respects the case is the same as that supposed in *Illustration (i)*. The mention of B, C and D by name does not prevent the bequest from being regarded as a bequest to a class, and the bequest is wholly void.

Bequest to take effect on failure of bequest void under section 113, 114 or 115.

114. Where a bequest is void by reason of any of the provisions of section 113, section 114, or section 115, any bequest contained in the same will, and intended to take effect after or upon failure of such prior bequest, is also void.

Illustrations.

(i) A fund is bequeathed to A for his life, and after his death to such of his sons as shall first attain the age of 25 for his life, and after the decease of such son to B. A and B survive the testator. The bequest to B is intended to take effect after the bequest to such of the sons of A as shall first attain the age of 25, which bequest is void under section 114. The bequest to B is void.

(4) A fund is bequeathed to A for his life, and after his death to such of his sons as shall first attain the age of 25, and, if no son of A shall attain that age, to B: A and B survive the testator. The bequest to B is intended to take effect upon failure of the bequest to such of A's sons as shall first attain the age of 25, which bequest is void under section 114. The bequest to B is void.

Effect of direction
for accumulation.

117. A direction to accumulate the income arising from any property shall be void; and the property shall be disposed of as if no accumulation had been directed.

Exception.—Where the property is immoveable, or where accumulation is directed to be made from the death of the testator, the direction shall be valid in respect only of the income arising from the property within one year next following the testator's death; and at the end of the year such property and income shall be disposed of respectively, as if the period during which the accumulation has been directed to be made had elapsed.

Illustrations

(i) The will directs that the sum of 10,000 rupees shall be invested in Government securities, and the income accumulated for 20 years, and that the principal, together with the accumulations, shall then be divided between A, B and C. A, B and C are entitled to receive the sum of 10,000 rupees at the end of a year from the testator's death.

(ii) The will directs that 10,000 rupees shall be invested, and the income accumulated until A shall marry, and shall then be paid to him. A is entitled to receive 10,000 rupees at the end of a year from the testator's death.

(iii) The will directs that the rents of the farm of Sultanpur shall be accumulated for ten years, and that the accumulation shall be then paid to the eldest son of A. At the death of the testator, A has an eldest son living, named B. B will receive, at the end of one year from the testator's death, the rents which have accrued during the year, together with any interest which may have been made by investing them.

(iv) The will directs that the rents of the farm of Sultanpur shall be accumulated for ten years, and that the accumulation shall then be paid to the eldest son of A. At the death of the testator, A has no son. The bequest is void.

(v) A bequeaths a sum of money to B, to be paid to him when he shall attain the age of 18, and directs the interest to be accumulated till he shall arrive at that age. At A's death the legacy becomes vested in B; and so much of the interest as is not required for his maintenance and education is accumulated, not by reason of the direction contained in the will, but in consequence of B's minority.

Bequest to religious
or charitable uses.

118. No man having a nephew or niece or any nearer relative shall have power to bequeath any property to religious or charitable uses, except by a will executed not less than twelve months before his death, and deposited within six months from its execution in some place provided by law for the safe custody of the wills of living persons.

Illustrations.

A having a nephew makes a bequest by a will not executed and deposited as required—

- for the relief of poor people;
- for the maintenance of sick soldiers;
- for the erection or support of a hospital;
- for the education and preferment of orphans;
- for the support of scholars;
- for the erection or support of a school;
- for the building and repairs of a bridge;
- for the making of roads;
- for the erection or support of a church;
- for the repairs of a church;
- for the benefit of ministers of religion;
- for the formation or support of a public garden;

All these bequests are void.

CHAPTER VIII.

Of the vesting of Legacies.

Date of vesting of legacy when payment or possession postponed.

119. Where by the terms of a bequest the legatee is not entitled to immediate possession of the thing bequeathed, a right to receive it at the proper time shall, unless a contrary intention appears by the will, become vested in the legatee on the testator's death, and shall pass to the legatee's representatives if he dies before that time and without having received the legacy, and in such cases the legacy is from the testator's death said to be vested in interest.

Explanation.—An intention that a legacy to any person shall not become vested in interest in him is not to be inferred merely from a provision whereby the payment or possession of the thing bequeathed is postponed, or whereby a prior interest therein is bequeathed to some other person, or whereby the income arising from the fund bequeathed is directed to be accumulated until the time of payment arrives, or from a provision that, if a particular event shall happen, the legacy shall go over to another person.

Illustrations.

(i) A bequeaths to B 100 rupees, to be paid to him at the death of C. On A's death the legacy becomes vested in interest in B, and if he dies before C, his representatives are entitled to the legacy.

(ii) A bequeaths to B 100 rupees, to be paid to him upon his attaining the age of 18. On A's death the legacy becomes vested in interest in B.

(iii) A fund is bequeathed to A for life, and after his death to B. On the testator's death the legacy to B becomes vested in interest in B.

(iv) A fund is bequeathed to A until B attains the age of 18 and then to B. The legacy to B is vested in interest from the testator's death.

(v) A bequeaths the whole of his property to B upon trust to pay certain debts out of the income, and then to make over the fund to C. At A's death the gift to C becomes vested in interest in him.

(vi) A fund is bequeathed to A, B and C in equal shares to be paid to them on their attaining the age of 18, respectively, with a proviso that, if all of them die under the age of 18, the legacy shall devolve upon D. On the death of the testator, the shares vested in interest in A, B and C, subject to be divested in case A, B and C shall all die under 18, and, upon the death of any of them (except the last survivor) under the age of 18, his vested interest passes, so subject, to his representatives.

Date of vesting when legacy contingent upon specified uncertain event.

120. (1) A legacy bequeathed in case a specified uncertain event shall happen does not vest until that event happens.

(2) A legacy bequeathed in case a specified uncertain event shall not happen does not vest until the happening of that event becomes impossible.

(3) In either case, until the condition has been fulfilled, the interest of the legatee is called contingent.

Exception.—Where a fund is bequeathed to any person upon his attaining a particular age, and the will also gives to him absolutely the income to arise from the fund before he reaches that age, or directs the income, or so much of it as may be necessary, to be applied for his benefit, the bequest of the fund is not contingent.

Illustrations.

(i) A legacy is bequeathed to D in case A, B and C shall all die under the age of 18. D has a contingent interest in the legacy until A, B and C all die under 18, or one of them attains that age.

(ii) A sum of money is bequeathed to A "in case he shall attain the age of 18," or "when he shall attain the age of 18." A's interest in the legacy is contingent until the condition is fulfilled by his attaining that age.

(iii) An estate is bequeathed to A for life, and after his death to B if B shall then be living; but if B shall not be then living to C. A, B and C survive the testator. B and C each take a contingent interest in the estate until the event which is to vest it in one or in the other has happened.

(iv) An estate is bequeathed as in the case last supposed. B dies in the lifetime of A and C. Upon the death of B, C acquires a vested right to obtain possession of the estate upon A's death.

(v) A legacy is bequeathed to A when she shall attain the age of 18, or shall marry under that age with the consent of B, with a proviso that, if she neither attains 18 nor marries under that age with B's consent, the legacy shall go to C. A and C each take a contingent interest in the legacy. A attains the age of 18. A becomes absolutely entitled to the legacy although she may have married under 18 without the consent of B.

(vi) An estate is bequeathed to A until he shall marry and after that event to B. B's interest in the bequest is contingent until the condition is fulfilled by A's marrying.

(vii) An estate is bequeathed to A until he shall take advantage of any law for the relief of insolvent debtors, and after that event to B. B's interest in the bequest is contingent until A takes advantage of such a law.

(viii) An estate is bequeathed to A if he shall pay 500 rupees to B. A's interest in the bequest is contingent until he has paid 500 rupees to B.

(ix) A leaves his farm of Sultanpur Khurd to B, if B shall convey his own farm of Sultanpur Bozorg to C. B's interest in the bequest is contingent until he has conveyed the latter farm to C.

(x) A fund is bequeathed to A if B shall not marry C within five years after the testator's death. A's interest in the legacy is contingent until the condition is fulfilled by the expiration of the five years without B's having married C, or by the occurrence within that period of an event which makes the fulfilment of the condition impossible.

(xi) A fund is bequeathed to A if B shall not make any provision for him by will. The legacy is contingent until B's death.

(xii) A bequeaths to B 500 rupees a year upon his attaining the age of 18, and directs that the interest, or a competent part thereof, shall be applied for his benefit until he reaches that age. The legacy is vested.

(xiii) A bequeaths to B 500 rupees when he shall attain the age of 18, and directs that a certain sum, out of another fund, shall be applied for his maintenance until he arrives at that age. The legacy is contingent.

Vesting of interest in bequest to such members of a class as shall have attained particular age.

121. Where a bequest is made only to such members of a class as shall have attained a particular age, a person who has not attained that age cannot have a vested interest in the legacy.

Illustration.

A fund is bequeathed to such of the children of A as shall attain the age of 18, with a direction that, while any child of A shall be under the age of 18, the income of the share, to which it may be presumed he will be eventually entitled, shall be applied for his maintenance and education. No child of A who is under the age of 18 has a vested interest in the bequest.

CHAPTER IX.

Of Onerous Bequests.

Onerous bequests.

122. Where a bequest imposes an obligation on the legatee, he can take nothing by it unless he accepts it fully.

Illustration.

A, having shares in (X), a prosperous joint stock company and also shares in (Y), a joint stock company in difficulties, in respect of which shares heavy calls are expected to be made, bequeaths to B all his shares in joint stock companies. B refuses to accept the shares in (Y). He forfeits the shares in (X).

One of two separate and independent bequests to same person may be accepted, and other refused.

123. Where a will contains two separate and independent bequests to the same person, the legatee is at liberty to accept one of them and refuse the other, although the former may be beneficial and the latter onerous.

Illustration.

A, having a lease for a term of years of a house at a rent which he and his representatives are bound to pay during the term, and which is higher than the house can be let for, bequeaths to B the lease and a sum of money. B refuses to accept the lease. He will not by this refusal forfeit the money.

CHAPTER X.

Of Contingent Bequests.

Bequest contingent upon specified uncertain event, no time being mentioned for its occurrence.

124. Where a legacy is given if a specified uncertain event shall happen and no time is mentioned in the will for the occurrence of that event, the legacy cannot take effect, unless such event happens before the period when the fund bequeathed is payable or distributable.

Illustrations.

(i) A legacy is bequeathed to A, and, in case of his death, to B. If A survives the testator, the legacy to B does not take effect.

(ii) A legacy is bequeathed to A, and, in case of his death without children, to B. If A survives the testator or dies in his lifetime leaving a child, the legacy to B does not take effect.

(iii) A legacy is bequeathed to A when and if he attains the age of 18, and, in case of his death, to B. A attains the age of 18. The legacy to B does not take effect.

(iv) A legacy is bequeathed to A for life, and, after his death to B, and, "in case of B's death without children," to C. The words "in case of B's death without children" are to be understood as meaning in case B dies without children during the lifetime of A.

(v) A legacy is bequeathed to A for life, and, after his death to B, and, "in case of B's death," to C. The words "in case of B's death" are to be considered as meaning "in case B dies in the lifetime of A."

Bequest to such of certain persons as shall be surviving at some period not specified.

125. Where a bequest is made to such of certain persons as shall be surviving at some period, but the exact period is not specified, the legacy shall go to such of them as are alive at the time of payment or distribution, unless a contrary intention appears by the will.

Illustrations.

(i) Property is bequeathed to A and B to be equally divided between them, or to the survivor of them. If both A and B survive the testator, the legacy is equally divided between them. If A dies before the testator, and B survives the testator, it goes to B.

(ii) Property is bequeathed to A for life, and, after his death, to B and C, to be equally divided between them, or to the survivor of them. B dies during the life of A; C survives A. At A's death the legacy goes to C.

(iii) Property is bequeathed to A for life, and after his death to B and C, or the survivor, with a direction that, if B should not survive the testator, his children are to stand in his place. C dies during the life of the testator; B survives the testator, but dies in the lifetime of A. The legacy goes to the representative of B.

(iv) Property is bequeathed to A for life, and, after his death, to B and C, with a direction that, in case either of them dies in the lifetime of A, the whole shall go to the survivor. B dies in the lifetime of A. Afterwards C dies in the lifetime of A. The legacy goes to the representative of C.

CHAPTER XI.

Of Conditional Bequests.

Bequest upon impossible condition.

126. A bequest upon an impossible condition is void.

Illustrations.

(i) An estate is bequeathed to A on condition that he shall walk 100 miles in an hour. The bequest is void.

(ii) A bequeaths 500 rupees to B on condition that he shall marry A's daughter. A's daughter was dead at the date of the will. The bequest is void.

Bequest upon illegal or immoral condition.

127. A bequest upon a condition, the fulfilment of which would be contrary to law or to morality, is void.

Illustrations.

(i) A bequeaths 500 rupees to B on condition that he shall murder C. The bequest is void.

(ii) A bequeaths 5,000 rupees to his niece if she will desert her husband. The bequest is void.

Fulfilment of condition precedent to vesting of legacy.

128. Where a will imposes a condition to be fulfilled before the legatee can take a vested interest in the thing bequeathed, the condition shall be considered to have been fulfilled if it has been substantially complied with.

Illustrations.

(i) A legacy is bequeathed to A on condition that he shall marry with the consent of B, C, D and E. A marries with the written consent of B, C is present at the marriage. D sends a present to A previous to the marriage. E has been personally informed by A of his intentions, and has made no objection. A has fulfilled the condition.

(ii) A legacy is bequeathed to A on condition that he shall marry with the consent of B, C and D. D dies. A marries with the consent of B and C. A has fulfilled the condition.

(iii) A legacy is bequeathed to A on condition that he shall marry with the consent of B, C and D. A marries in the lifetime of B, C and D, with the consent of B and C only. A has not fulfilled the condition.

(iv) A legacy is bequeathed to A on condition that he shall marry with the consent of B, C and D. A obtains the unconditional consent of B, C and D to his marriage with E. Afterwards B, C and D capriciously retract their consent. A marries E. A has fulfilled the condition.

(e) A legacy is bequeathed to A on condition that he shall marry with the consent of B, C and D. A marries without the consent of B, C and D, but obtains their consent after the marriage. A has not fulfilled the condition.

(f) A makes his will whereby he bequeaths a sum of money to B if B shall marry with the consent of A's executors. B marries during the lifetime of A, and A afterwards expresses his approbation of the marriage. A dies. The bequest to B takes effect.

(g) A legacy is bequeathed to A if he executes a certain document within a time specified in the will. The document is executed by A within a reasonable time, but not within the time specified in the will. A has not performed the condition, and is not entitled to receive the legacy.

Bequest to A and on failure of prior bequest to B.

129. Where there is a bequest to one person and a bequest of the same thing to another, if the prior bequest shall fail the second bequest shall take effect upon the failure of the prior bequest although the failure may not have occurred in the manner contemplated by the testator.

Illustrations.

(i) A bequeaths a sum of money to his own children surviving him, and, if they all die under 18, to B. A dies without having ever had a child. The bequest to B takes effect.

(ii) A bequeaths a sum of money to B, on condition that he shall execute a certain document within three months after A's death, and, if he should neglect to do so, to C. B dies in the testator's lifetime. The bequest to C takes effect.

When second bequest not to take effect on failure of first.

130. Where the will shows an intention that the second bequest shall take effect only in the event of the first bequest failing in a particular manner, the second bequest shall not take effect, unless the prior bequest fails in that particular manner.

Illustrations.

A makes a bequest to his wife, but in case she should die in his lifetime, bequeaths to B that which he had bequeathed to her. A and his wife perish together, under circumstances which make it impossible to prove that she died before him, the bequest to B does not take effect.

Bequest over, conditional upon happening or not happening of specified uncertain event.

131. (1) A bequest may be made to any person with the condition superadded that, in case a specified uncertain event shall happen, the thing bequeathed shall go to another person, or that in case a specified uncertain event shall not happen, the thing bequeathed shall go over to another person.

(2) In each case the ulterior bequest is subject to the rules contained in sections 120, 121, 122, 123, 124, 125, 126, 127, 129 and 130.

Illustrations.

(i) A sum of money is bequeathed to A, to be paid to him at the age of 18, and if he shall die before he attains that age, to B. A takes a vested interest in the legacy, subject to be divested and to go to B in case A dies under 18.

(ii) An estate is bequeathed to A with a proviso that if A shall dispute the competency of the testator to make a will, the estate shall go to B. A disputes the competency of the testator to make a will. The estate goes to B.

(iii) A sum of money is bequeathed to A for life, and, after his death, to B; but if B shall then be dead, leaving a son, such son is to stand in the place of B. B takes a vested interest in the legacy, subject to be divested if he dies leaving a son in A's lifetime.

(iv) A sum of money is bequeathed to A and B, and if either should die during the life of C then to the survivor living at the death of C. A and B die before C. The gift over cannot take effect, but the representative of A takes one-half of the money, and the representative of B takes the other half.

(v) A bequeaths to B the interest of a fund for life, and directs the fund to be divided at her death equally among her three children, or such of them as shall be living at her death. All the children of B die in B's lifetime. The bequest over cannot take effect, but the interests of the children pass to their representatives.

Condition must be strictly fulfilled.

132. An ulterior bequest of the kind contemplated by section 131 cannot take effect, unless the condition is strictly fulfilled.

Illustrations.

(i) A legacy is bequeathed to A, with a proviso that, if he marries without the consent of B, C and D, the legacy shall go to E. D dies. Even if A marries without the consent of B and C, the gift to E does not take effect.

(ii) A legacy is bequeathed to A, with a proviso that, if he marries without the consent of B, the legacy shall go to C. A marries with the consent of B. He afterwards becomes a widower and marries again without the consent of B. The bequest of C does not take effect.

(iii) A legacy is bequeathed to A, to be paid at 18, or marriage, with a proviso that, if A dies under 18 or marries without the consent of B, the legacy shall go to C. A marries under 18, without the consent of B. The bequest to C takes effect.

Original bequest affected by invalidity of second.

133. If the ulterior bequest be not valid, the original bequest is not affected by it.

Illustrations.

(i) An estate is bequeathed to A for his life with condition superadded that, if he shall not on a given day walk 100 miles in an hour, the estate shall go to B. The condition being void, A retains his estate as if no condition had been inserted in the will.

(ii) An estate is bequeathed to A for her life and, if she do not desert her husband, to B. A is entitled to the estate during her life as if no condition had been inserted in the will.

(iii) An estate is bequeathed to A for life, and, if he marries, to the eldest son of B for life. B, at the date of the testator's death, had not had a son. The bequest over is void under section 105, and A is entitled to the estate during his life.

Bequest conditioned that it shall cease to have effect in case a specified uncertain event shall happen, or not happen.

134. A bequest may be made with the condition superadded that it shall cease to have effect in case a specified uncertain event shall happen, or in case a specified uncertain event shall not happen.

Illustrations.

(i) An estate is bequeathed to A for his life, with a proviso that, in case he shall cut down a certain wood, the bequest shall cease to have any effect. A cuts down the wood. He loses his life-interest in the estate.

(ii) An estate is bequeathed to A, provided that, if he marries under the age of 25 without the consent of the executors named in the will, the estate shall cease to belong to him. A marries under 25 without the consent of the executors. The estate ceases to belong to him.

(iii) An estate is bequeathed to A, provided that, if he shall not go to England within three years after the testator's death, his interest in the estate shall cease. A does not go to England within the time prescribed. His interest in the estate ceases.

(iv) An estate is bequeathed to A, with a proviso that if she becomes a nun, she shall cease to have any interest in the estate. A becomes a nun. She loses her interest under the will.

(v) A fund is bequeathed to A for life, and, after his death, to B, if B shall be then living, with a proviso that, if B shall become a nun, the bequest to her shall cease to have any effect. B becomes a nun in the life-time of A. She thereby loses her contingent interest in the fund.

Such condition must not be invalid under section 120.

135. In order that a condition that a bequest shall cease to have effect may be valid, it is necessary that the event to which it relates be one which could legally constitute the condition of a bequest as contemplated by section 120.

Result of legatee rendering impossible or indefinitely postponing act for which no time specified, and on non-performance of which subject-matter to go over.

136. Where a bequest is made with a condition super-added that, unless the legatee shall perform a certain act, the subject-matter of the bequest shall go to another person, or the bequest shall cease to have effect but no time is specified for the performance of the act; if the legatee takes any step which renders impossible or indefinitely postpones the performance of the act required, the legacy shall go as if the legatee had died without performing such act.

Illustrations.

(i) A bequest is made to A, with a proviso that, unless he enters the Army, the legacy shall go over to B. A takes Holy Orders, and thereby renders it impossible that he should fulfil the condition. B is entitled to receive the legacy.

(ii) A bequest is made to A, with a proviso that it shall cease to have any effect if he does not marry B's daughter. A marries a stranger and thereby indefinitely postpones the fulfilment of the conditions. The bequest ceases to have effect.

Performance of condition precedent or subsequent, within specified time. Further time in case of fraud.

137. Where the will requires an act to be performed by the legatee within a specified time, either as a condition to be fulfilled before the legacy is enjoyed, or as a condition upon the non-fulfilment of which the subject-matter of the bequest is to go over to another person or the bequest is to cease to have effect, the act must be performed within the time specified, unless the performance of it be prevented by fraud, in which case such further time shall be allowed as shall be requisite to make up for the delay caused by such fraud.

CHAPTER XII.

Of Bequests with Directions as to application or enjoyment.

Direction that fund be employed in particular manner following absolute bequest of same to or for benefit of any person.

138. Where a fund is bequeathed absolutely to or for the benefit of any person, but the will contains a direction that it shall be applied or enjoyed in a particular manner, the legatee shall be entitled to receive the fund as if the will had contained no such direction.

Illustration.

A sum of money is bequeathed towards purchasing a country residence for A, or to purchase an annuity for A, or to place A in any business. A chooses to receive the legacy in money. He is entitled to do so.

Direction that mode of enjoyment of absolute bequest is to be restricted, to secure specified benefit for legatee.

139. Where a testator absolutely bequeaths a fund, so as to sever it from his own estate, but directs that the mode of enjoyment of it by the legatee shall be restricted so as to secure a specified benefit for the legatee; if that benefit cannot be obtained for the legatee, the fund belongs to him as if the will had contained no such direction.

Illustrations.

(i) A bequeaths the residue of his property to be divided equally among his daughters, and directs that the shares of the daughters shall be settled upon themselves respectively for life and be paid to their children after their death. All the daughters die unmarried. The representatives of each daughter are entitled to her share of the residue.

(ii) A directs his trustees to raise a sum of money for his daughter, and he then directs that they shall invest the fund and pay the income arising from it to her during her life, and divide the principal among her children after her death. The daughter dies without having ever had a child. Her representatives are entitled to the fund.

Bequest of fund for certain purposes, some of which cannot be fulfilled.

140. Where a testator does not absolutely bequeath a fund, so as to sever it from his own estate, but gives it for certain purposes, and part of those purposes cannot be fulfilled, the fund, or so much of it as has not been exhausted upon the objects contemplated by the will, remains a part of the estate of the testator.

Illustrations.

(i) A directs that his trustees shall invest a sum of money in a particular way, and shall pay the interest to his son for life, and at his death shall divide the principal among his children. The son dies without having ever had a child. The fund, after the son's death, belongs to the estate of the testator.

(ii) A bequeaths the residue of his estate, to be divided equally among his daughters with a direction that they are to have the interest only during their lives, and that at their decease the fund shall go to their children. The daughters have no children. The fund belongs to the estate of the testator.

CHAPTER XIII.

Of Bequests to an Executor.

Legatee named as executor cannot take unless he shows intention to act as executor.

141. If a legacy is bequeathed to a person who is named an executor of the will, he shall not take the legacy unless he proves the will or otherwise manifests an intention to act as executor.

Illustration.

A legacy is given to A, who is named an executor. A orders the funeral according to the directions contained in the will, and dies a few days after the testator, without having proved the will. A has manifested an intention to act as executor.

CHAPTER XIV.

*Of Specific Legacies.*Specific legacy
defined

142. Where a testator bequeaths to any person a specified part of his property, which is distinguished from all other parts of his property, the legacy is said to be specific :

Illustrations.

(1) A bequeaths to B -

"the diamond ring presented to me by C "

"my gold chain "

"a certain bale of wool " .

"a certain piece of cloth " :

"all my household goods which shall be in or about my dwelling house in M Street, in Calcutta, at time of my death "

"the sum of 1 000 rupees in a cotton chest "

"the debt which B owes me "

"all my bills, bonds and securities belonging to me lying in my lodgings in Calcutta "

"all my furniture in my house in Calcutta "

"all my goods on board a certain ship now lying in the river Hughli "

"2,000 rupees which I have in the hands of C "

"the money due to me on the bond of D "

"my mortgage on the Rampur factory "

"one half of the money owing to me on my mortgage of Rampur factory "

"1,000 rupees, being part of a debt due to me from C "

"my capital stock of 1,000l in East India stock "

"my promissory notes of the Government of India for 10,000 rupees in their 4 per cent loan "

"all such sums of money as my executors may, after my death, receive in respect of the debt due to me from the insolvent firm of D and Company "

"all the wine which I may have in my cellar at the time of my death "

"such of my horses as B may select "

"all my shares in the Imperial Bank of India "

"all my shares in the Imperial Bank of India which I may possess at the time of my death "

"all the money which I have in the 5½ per cent loan of the Government of India "

"all the Government securities I shall be entitled to at the time of my decease "

Each of these legacies is specific.

(2) A, having Government promissory notes for 10,000 rupees, bequeaths to his executors "Government promissory notes for 10,000 rupees in trust to sell" for the benefit of B. The legacy is specific.

(iii) A having property at Benares, and also in other places, bequeaths to B all his property at Benares. The legacy is specific.

(iv) A bequeaths to B—

- his house in Calcutta :
- his zamindari of Rampur :
- his taluq of Ramnagar :
- his lease of the indigo-factory of Sakya :
- an annuity of 500 rupees out of the rents of his zamindari of W.

A directs his zamindari of X to be sold, and the proceeds to be invested for the benefit of B.

Each of these bequests is specific.

(v) A by his will charges his zamindari of Y with an annuity of 1,000 rupees to C during his life, and subject to this charge he bequeaths the zamindari to D. Each of these bequests is specific.

(vi) A bequeaths a sum of money—

- to buy a house in Calcutta for B :
- to buy an estate in zila Faridpur for B :
- to buy a diamond ring for B :
- to buy a horse for B :
- to be invested in shares in the Imperial Bank of India for B :
- to be invested in Government securities for B.

A bequeaths to B—

- "a diamond ring":
- "a horse":
- "10,000 rupees' worth of Government securities":
- "an annuity of 500 rupees":
- "2,000 rupees to be paid in cash":
- "so much money as will produce 5,000 rupees four per cent. Government securities."

These bequests are not specific.

(vii) A, having property in England and property in India, bequeaths a legacy to B, and directs that it shall be paid out of the property which he may leave in India. He also bequeaths a legacy to C and directs that it shall be paid out of property which he may leave in England. No one of these legacies is specific.

143. Where a certain sum is bequeathed, the legacy is not specific merely because the stock, funds or securities in which it is invested are described in the will.

Bequest of certain sum where stocks, etc., in which invested are described.

Illustration.

A bequeaths to B—

- "10,000 rupees of my funded property":
- "10,000 rupees of my property now invested in shares of the East Indian Railway Company":
- "10,000 rupees, at present secured by mortgage of Rampur factory."

No one of these legacies is specific.

Bequest of stock where testator has, at date of will, equal or greater amount of stock of same kind.

144. Where a bequest is made in general terms of a certain amount of any kind of stock, the legacy is not specific merely because the testator was, at the date of his will, possessed of stock of the specified kind, to an equal or greater amount than the amount bequeathed.

Illustration.

A bequeaths to B 5,000 rupees five per cent. Government securities. A had at the date of the will five per cent. Government securities for 5,000 rupees. The legacy is not specific.

Bequest of money where not payable until part of testator's property disposed of in certain way.

145. A money legacy is not specific merely because the will directs its payment to be postponed until some part of the property of the testator has been reduced to a certain form, or remitted to a certain place.

Illustration.

A bequeaths to B 10,000 rupees and directs that this legacy shall be paid as soon as A's property in India shall be realised in England. The legacy is not specific.

When enumerated articles not deemed specifically bequeathed.

146. Where a will contains a bequest of the residue of the testator's property along with an enumeration of some items of property not previously bequeathed, the articles enumerated shall not be deemed to be specifically bequeathed.

Retention, in form of specific bequest, to several persons in succession.

147. Where property is specifically bequeathed to two or more persons in succession, it shall be retained in the form in which the testator left it, although it may be of such a nature that its value is continually decreasing.

Illustrations.

(i) A, having lease of a house for a term of years, fifteen of which were unexpired at the time of his death, has bequeathed the lease to B for his life, and after B's death to C. B is to enjoy the property as A left it, although, if B lives for fifteen years, C can take nothing under the bequest.

(ii) A, having an annuity during the life of B, bequeaths it to C, for his life, and, after C's death, to D. C is to enjoy the annuity as A left it, although, if B dies before D, D can take nothing under the bequest.

Sale and investment of proceeds of property bequeathed to two or more persons in succession.

148. Where property comprised in a bequest to two or more persons in succession is not specifically bequeathed, it shall, in the absence of any direction to the contrary, be sold, and the proceeds of the sale shall be invested in such securities as the High Court may by any general rule authorise or direct, and the fund thus constituted shall be enjoyed by the successive legatees according to the terms of the will.

Illustration.

A, having a lease for a term of years, bequeaths all his property to B for life, and, after B's death, to C. The lease must be sold, the proceeds invested as stated in this section and the annual income arising from the fund is to be paid to B for life. At B's death the capital of the fund is to be paid to C.

Where deficiency of assets to pay legacies, specific legacy not to abate with general legacies.

149. If there is a deficiency of assets to pay legacies, a specific legacy is not liable to abate with the general legacies.

CHAPTER XV.

Of Demonstrative Legacies.

Demonstrative legacy defined.

150. Where a testator bequeaths a certain sum of money, or a certain quantity of any other commodity, and refers to a particular fund or stock so as to constitute the same the primary fund or stock out of which payment is to be made, the legacy is said to be demonstrative.

Explanation.—The distinction between a specific legacy and a demonstrative legacy consists in this, that—

where specified property is given to the legatee, the legacy is specific;

where the legacy is directed to be paid out of specified property, it is demonstrative.

Illustration.

(i) A bequeaths to B 1,000 rupees, being part of a debt due to him from W. He also bequeaths to C 1,000 rupees to be paid out of the debt due to him from W. The legacy to B is specific, the legacy to C is demonstrative.

(ii) A bequeaths to B—

"ten bushels of the corn which shall grow in my field of Green Acre";

"80 chests of the indigo which shall be made at my factory of Rampur";

"10,000 rupees out of my five per cent. promissory notes of the Government of India";

an annuity of 500 rupees "from my funded property";

"1,000 rupees out of the sum of 2,000 rupees due to me by C";

an annuity, and directs it to be paid "out of the rents arising from my taluk of Ramnagar."

(iii) A bequeaths to B—

"10,000 rupees out of my estate at Ramnagar," or charges it on his estate at Ramnagar;

"10,000 rupees being my share of the capital embarked in a certain business."

Each of these bequests is demonstrative.

Order of payment when legacy directed to be paid out of fund the subject of specific legacy.

151. Where a portion of a fund is specifically bequeathed and a legacy is directed to be paid out of the same fund, the portion specifically bequeathed shall first be paid to the legatee, and the demonstrative legacy shall be paid out of the residue of the fund and, so far as the residue shall be deficient, out of the general assets of the testator.

Illustration.

A bequeaths to B 1,000 rupees, being part of a debt due to him from W. He also bequeaths to C 1,000 rupees to be paid out of the debt due to him from W. The debt due to A from W is only 1,500 rupees; of these 1,500 rupees, 1,000 rupees belong to B, and 500 rupees are to be paid to C. C is also to receive 500 rupees out of the general assets of the testator.

CHAPTER XVI.

Of Ademption of Legacies.

Ademption explained.

152. If anything which has been specifically bequeathed does not belong to the testator at the time of his death, or has been converted into property of a different kind, the legacy is adeemed; that is, it cannot take effect, by reason of the subject-matter having been withdrawn from the operation of the will.

Illustrations.

(i) A bequeaths to B—

"the diamond ring presented to me by C";

"my gold chain";

"a certain bale of wool";

"a certain piece of cloth";

"all my household goods which shall be in or about my dwelling house in M Street in Calcutta, at the time of my death."

In his life time,—

sells or gives away the ring;

converts the chain into a cup;

converts the wool into cloth;

makes the cloth into a garment;

takes another house into which he removes all his goods.

Each of these legacies is adeemed.

(ii) A bequeaths to B—

"the sum of 1,000 rupees in a certain chest"

"all the horses in my stable."

At the death of A, no money is found in the chest, and no horses in the stable. The legacies are adeemed.

(iii) A bequeaths to B certain bales of goods. A takes the goods with him on a voyage. The ship and goods are lost at sea, and A is drowned. The legacy is adeemed.

Non-adeemption of demonstrative legacy

153. A demonstrative legacy is not adeemed by reason that the property on which it is charged by the will does not exist at the time of the death of the testator, or has been converted into property of a different kind, but it shall in such case be paid out of the general assets of the testator.

Adeemption of specific bequest of right to receive something from third party.

154. Where the thing specifically bequeathed is the right to receive something of value from a third party, and the testator himself receives it, the bequest is adeemed.

Illustrations

(i) A bequeaths to B—

"the debt which C owes me"

"2,000 rupees which I have in the hands of D"

"the money due to me on the bond of E"

"my mortgage on the Ramnagar factory"

All these debts are extinguished in A's lifetime, some with and some without his consent. All the legacies are adeemed.

(ii) A bequeaths to B his interest in certain policies of life assurance. A in his lifetime receives the amount of the policies. The legacy is adeemed.

Adeemption pro tanto by testator's receipt of part of entire thing specifically bequeathed

155. The receipt by the testator of a part of an entire thing specifically bequeathed shall operate as an adeemption of the legacy to the extent of the sum so received.

Illustration

A bequeaths to B "the debt due to me by C." The debt amounts to 10,000 rupees. C pays to A 50,000 rupees the one-half of the debt. The legacy is revoked by a remission so far as regards the 5,000 rupees received by A.

Adeemption pro tanto by testator's receipt of portion of entire fund of which portion has been specifically bequeathed

156. If a portion of an entire fund or stock is specifically bequeathed, the receipt by the testator of a portion of the fund or stock shall operate as an adeemption only to the extent of the amount so received; and the residue of the fund or stock shall be applicable to the discharge of the specific legacy.

Illustration

A bequeaths to B one-half of the sum of 10,000 rupees due to him from W. A in his lifetime receives 5,000 rupees, part of the 10,000 rupees. The 5,000 rupees which are due from W to A at the time of his death belong to B under the specific bequest.

Order of payment where portion of fund specifically bequeathed to one legatee, and legacy charged on same fund to another, and testator having received portion of that fund, remainder insufficient to pay both legacies.

157. Where a portion of a fund is specifically bequeathed to one legatee, and a legacy charged on the same fund is bequeathed to another legatee, then, if the testator receives a portion of that fund, and the remainder of the fund is insufficient to pay both the specific and the demonstrative legacy, the specific legacy shall be paid first, and the residue (if any) of the fund shall be applied so far as it will extend in payment of the demonstrative legacy, and the rest of the demonstrative legacy shall be paid out of the general assets of the testator.

Illustration.

A bequeaths to B 1,000 rupees, part of the debt of 2,000 rupees due to him from W. He also bequeaths to C 1,000 rupees to be paid out of the debt due to him from W. A afterwards receives 2,000 rupees, part of that debt, and dies leaving only 1,500 rupees due to him from W. Of these 1,500 rupees, 1,000 rupees belong to B, and 500 rupees are to be paid to C. C. is also to receive 500 rupees out of the general assets of the testator.

Ademption where stock, specifically bequeathed, does not exist at testator's death.

158. Where stock which has been specifically bequeathed does not exist at the testator's death, the legacy is adeemed.

Illustration.

A bequeaths to B—

"my capital stock of 1,000*l.* in East India stock";

"my promissory notes of the Government of India for 10,000 rupees in their 4 per cent. loan."

A sells the stock and the notes. The legacies are adeemed.

Ademption *pro tanto* where stock, specifically bequeathed, exists in part only at testator's death.

159. Where stock which has been specifically bequeathed exists only in part at the testator's death, the legacy is adeemed so far as regards that part of the stock which has ceased to exist.

Illustration.

A bequeaths to B his 10,000 rupees in the 5½ per cent. loan of the Government of India. A sells one-half of his 10,000 rupees in the loan in question. One-half of the legacy is adeemed.

Non-ademption of specific bequest of goods described as connected with certain place, by reason of removal.

160. A specific bequest of goods under a description connecting them with a certain place is not adeemed by reason that they have been removed from such place from any temporary cause, or by fraud, or without the knowledge or sanction of the testator.

Illustrations.

(i) A bequeaths to B "all my household goods which shall be in or about my dwelling house in Calcutta at the time of my death." The goods are removed from the house to save them from fire. A dies before they are brought back.

(ii) A bequeaths to B "all my household goods which shall be in or about my dwelling house in Calcutta at the time of my death." During A's absence upon a journey, the whole of the goods are removed from the house. A dies without having sanctioned their removal.

Neither of these legacies is adeemed.

When removal of thing bequeathed does not constitute ademption.

161. The removal of the thing bequeathed from the place in which it stated in the will to be situated does not constitute an ademption, where the place is only referred to in order to complete the description of what the testator meant to bequeath.

Illustrations.

(i) A bequeaths to B "all the bills, bonds and other securities for money belonging to me now lying in my lodgings in Calcutta." At the time of his death, these effects had been removed from his lodgings in Calcutta.

(ii) A bequeaths to B all his furniture then in his house in Calcutta. The testator has a house at Calcutta and another at Chitturah, in which he lives alternately, being possessed of one set of furniture only which he removes with himself to each house. At the time of his death the furniture is in the house at Chitturah.

(iii) A bequeaths to B all his goods on board a certain ship then lying in the river Hooghly. The goods are removed by A's direction to a warehouse, in which they remain at the time of A's death.

No one of these legacies is revoked by ademption.

When thing bequeathed is a valuable to be received by testator from third person; and testator himself, or his representative, receives it

182. Where the thing bequeathed is not the right to receive something of value from a third person, but the money or other commodity which may be received from the third person by the testator himself or by his representatives, the receipt of such sum of money or other commodity by the testator shall not constitute an ademption; but if he mixes it up with the general mass of his property, the legacy is adeemed.

Illustration.

A bequeaths to B whatever sum may be received from his claim on C. A receives the whole of his claim on C, and sets it apart from the general mass of his property. The legacy is not adeemed.

Change by operation of law of subject of specific bequest between date of will and testator's death.

183. Where a thing specifically bequeathed undergoes a change between the date of the will and the testator's death, and the change takes place by operation of law, or in the course of execution of the provisions of any legal instrument under which the thing bequeathed was held, the legacy is not adeemed by reason of such change.

Illustrations.

(i) A bequeaths to B "all the money which I have in the 5½ per cent. loan of the Government of India." The securities for the 5½ per cent. loan are converted during A's lifetime into 5 per cent. stock.

(ii) A bequeaths to B the sum of 2,000l. invested in consols in the names of trustees for A. The sum of 2,000l. is transferred by the trustees into A's own name.

(iii) A bequeaths to B the sum of 10,000 rupees in promissory notes of the Government of India which he has power under his marriage settlement to dispose of by will. Afterwards, in A's lifetime, the fund is converted into consols by virtue of an authority contained in the settlement.

No one of these legacies has been adeemed.

Change of subject without testator's knowledge.

184. Where a thing specifically bequeathed undergoes a change between the date of the will and the testator's death, and the change takes place without the knowledge or sanction of the testator, the legacy is not adeemed.

Illustration.

A bequeaths to B "all my 3 per cent. consols." The consols are, without A's knowledge, sold by his agent, and the proceeds converted into East India stock. This legacy is not adeemed.

Stock specifically bequeathed lent to third party on condition that it be replaced.

185. Where stock which has been specifically bequeathed is lent to a third party on condition that it shall be replaced, and it is replaced accordingly, the legacy is not adeemed.

Stock specifically bequeathed sold but replaced, and belonging to testator at his death.

186. Where stock specifically bequeathed is sold, and an equal quantity of the same stock is afterwards purchased and belongs to the testator at his death, the legacy is not adeemed.

CHAPTER XVII.

Of the Payment of Liabilities in respect of the Subject of a Bequest.

Non-liability of executor to discharge specific legacies.

187. (1) Where property specifically bequeathed is subject at the death of the testator to any pledge, lien or incumbrance created by the testator himself or by any person under whom he claims, then, unless a contrary intention appears by the will, the legatee, if he accepts the bequest, shall accept it subject to such pledge or incumbrance, and shall (as between himself and the testator's estate) be liable to make good the amount of such pledge or incumbrance.

(3) A contrary intention shall not be inferred from any direction which the will may contain for the payment of the testator's debts generally.

Explanation.—A periodical payment in the nature of land-revenue or in the nature of rent is not such an incumbrance as is contemplated by this section.

Illustrations.

(i) A bequeaths to B the diamond ring given him by C. At A's death the ring is held in pawn by D, to whom it has been pledged by A. It is the duty of A's executors, if the state of the testator's assets will allow them, to allow B to redeem the ring.

(ii) A bequeaths to B a zamindari which at A's death is subject to a mortgage for 10,000 rupees, and the whole of the principal sum, together with interest to the amount of 1,000 rupees is due at A's death. B, if he accepts the bequest, accepts it subject to his charge, and is liable, as between himself and A's estate, to pay the sum of 11,000 rupees thus due.

Completion of testator's title to things bequeathed to be at cost of his estate

108. Where anything is to be done to complete the testator's title to the thing bequeathed, it is to be done at the cost of the testator's estate.

Illustrations

(i) A, having contracted in general terms for the purchase of a piece of land at a certain price, bequeaths to B, and dies before he has paid the purchase money. The purchase-money must be made good out of A's assets.

(ii) A, having contracted for the purchase of a piece of land for a certain sum of money, one half of which is to be paid down and the other half secured by mortgage of the land, bequeaths it to B, and dies before he has paid or secured any part of the purchase money. One half of the purchase money must be paid out of A's assets.

Exonerates of legatee's immovable property for which land revenue or rent payable periodically

109. Where there is a bequest of any interest in the moveable property in respect of which payment in the nature of land-revenue or in the nature of rent has to be made periodically, the estate of the testator shall (as between such estate and the legatee) make good such payments or a proportion of them, as the case may be, up to the day of his death.

Illustration

* A bequeaths to B a house in respect of which 36 rupees are payable annually by way of rent. A pays his rent at the usual time, and dies 25 days after. A's estate will make good 25 rupees in respect of the rent.

Exonerates of legatee's stock in joint stock company

170. In the absence of any direction in the will, where there is a specific bequest of stock in a joint stock company, if any call or other payment is due from the testator at the time of his death in respect of the stock, such call or payment shall, as between the testator's estate and the legatee, be borne by the estate; but, if any call or other payment becomes due in respect of such stock after the testator's death, the same shall, as between the testator's estate and the legatee, be borne by the legatee, if he accepts the bequest.

Illustrations

(i) A bequeaths to B his shares in a certain railway. At A's death there was due from him the sum of 10 rupees in respect of each share, being the amount of a call which had been duly made, and the sum of five rupees in respect of each share, being the amount of interest which had accrued due in respect of the call. These payments must be borne by A's estate.

(ii) A has agreed to take 50 shares in an intended joint stock company, and has contracted to pay up 100 rupees in respect of each share, which sum must be paid before his title to the shares can be completed. A bequeaths these shares to B. The estate of A must make good the payments which were necessary to complete A's title.

(iii) A bequeaths to B his shares in a certain railway. B accepts the legacy. After A's death, a call is made in respect of the shares. B must pay the call.

(iv) A bequeaths to B his shares in a joint stock company. B accepts the bequest. Afterwards the affairs of the company are wound up and each shareholder is called upon for contribution. The amount of the contribution must be borne by the legatee.

(v) A is the owner of ten shares in a railway company. At a meeting held during his lifetime a call is made of fifty rupees per share, payable by three instalments. A bequeaths his shares to B, and dies between the day fixed for the payment of the first and the day fixed for the payment of the second instalment, and without having paid the first instalment. A's estate must pay the first instalment, and B, if he accepts the legacy, must pay the remaining instalments.

CHAPTER XVIII.

Of Bequests of Things described in General Terms.

Bequest of thing described in general terms.

171. If there is a bequest of something described in general terms, the executor must purchase for the legatee what may reasonably be considered to answer the description.

Illustrations.

(i) A bequeaths to B a pair of carriage-horses or a diamond ring. The executor must provide the legatee with such articles if the state of the assets will allow it.

(ii) A bequeaths to B "my pair of carriage-horses." A had no carriage-horses at the time of his death. The legacy fails.

CHAPTER XIX.

Of Bequests of the Interest or Produce of a Fund.

Bequest of interest or produce of fund.

172. Where the interest or produce of a fund is bequeathed to any person, and the will affords no indication of an intention that the enjoyment of the bequest should be of limited duration, the principal as well as the interest shall belong to the legatee.

Illustrations.

(i) A bequeaths to B the interest of his 5 per cent. promissory notes of the Government of India. There is no other clause in the will affecting those securities. B is entitled to A's 5 per cent. promissory notes of the Government of India.

(ii) A bequeaths the interest of his 5½ per cent. promissory notes of the Government of India to B for his life, and after his death to C. B is entitled to the interest of the notes during his life, and C is entitled to the notes upon B's death.

(iii) A bequeaths to B the rents of his lands at X. B is entitled to the lands.

CHAPTER XX.

Of Bequests of Annuities.

Annuity created by will payable for life only, unless contrary intention appears by will.

173. Where an annuity is created by will, the legatee is entitled to receive it for his life only, unless a contrary intention appears by the will, notwithstanding that the annuity is directed to be paid out of the property generally, or that a sum of money is bequeathed to be invested in the purchase of it.

Illustrations.

(i) A bequeaths to B 500 rupees a year. B is entitled during his life to receive the annual sum of 500 rupees.

(ii) A bequeaths to B the sum of 500 rupees monthly. B is entitled during his life to receive the sum of 500 rupees every month.

(iii) A bequeaths an annuity of 500 rupees to B for life, and on B's death to C. B is entitled to an annuity of 500 rupees during his life. C, if he survives B, is entitled to an annuity of 500 rupees from B's death until his own death.

Period of vesting where will directs that annuity be provided out of proceeds of property, or out of property generally, or where money bequeathed to be invested in purchase of annuity.

174. Where the will directs that an annuity shall be provided for any person out of the proceeds of property, or out of property generally, or where money is bequeathed to be invested in the purchase of any annuity for any person, on the testator's death the legacy vests in interest in the legatee, and he is entitled at his option to have an annuity purchased for him or to receive the money appropriated for that purpose by the will.

Illustrations.

(i) A by his will directs that his executors shall, out of his property, purchase an annuity of 1,000 rupees for B. B is entitled at his option to have an annuity of 1,000 rupees for his life purchased for him, or to receive such a sum as will be sufficient for the purchase of such an annuity.

(ii) A bequeaths a fund to B for his life, and directs that after B's death, it shall be laid out in the purchase of an annuity for C. B and C survive the testator. C dies in B's lifetime. On B's death the fund belongs to the representative of C.

Abatement of annuity.

175. Where an annuity is bequeathed, but the assets of the testator are not sufficient to pay all the legacies given by the will, the annuity shall abate in the same proportion as the other pecuniary legacies given by the will.

Where gift of annuity and residuary gift, whole annuity to be first satisfied.

176. Where there is a gift of an annuity and a residuary gift, the whole of the annuity is to be satisfied before any part of the residue is paid to the residuary legatee, and, if necessary, the capital of the testator's estate shall be applied for that purpose.

CHAPTER XXI.

Of Legacies to Creditors and Portioners.

Creditor prima facie entitled to legacy as well as debt.

177. Where a debtor bequeaths a legacy to his creditor, and it does not appear from the will that the legacy is meant as a satisfaction of the debt, the creditor shall be entitled to the legacy as well as to the amount of the debt.

Child prima facie entitled to legacy as well as portion.

178. Where a parent, who is under obligation by contract to provide a portion for a child, fails to do so, and afterwards bequeaths a legacy to the child, and does not intimate by his will that the legacy is meant as a satisfaction of the portion, the child shall be entitled to receive the legacy as well as the portion.

Illustration.

A, by articles entered into in contemplation of his marriage with B covenanted that he would pay to each of the daughters of the intended marriage a portion of 20,000 rupees on her marriage. This covenant having been broken, A bequeaths 20,000 rupees to each of the married daughters of himself and B. The legatees are entitled to the benefit of this bequest in addition to their portions.

No ademption by subsequent provision for legatee.

179. No bequest shall be wholly or partially adeemed by a subsequent provision made by settlement or otherwise for the legatee.

Illustrations.

(i) A bequeaths 30,000 rupees to his son B. He afterwards gives to B the sum of 20,000 rupees. The legacy is not thereby

(ii) A bequeaths 40,000 rupees to B, his orphan niece whom he had brought up from her infancy. Afterwards, on the occasion of B's marriage, A settles upon her the sum of 30,000 rupees. The legacy is not thereby diminished.

CHAPTER XXII.

Of Election.

180. Where a person, by his will, professes to dispose of something which he has no right to dispose of, the person to whom the thing belongs shall elect either to confirm such disposition or to dissent from it, and in the latter case, he shall give up any benefits which may have been provided for him by the will.

181. An interest relinquished in the circumstances stated in section 180 shall devolve as if it had not been disposed of by the will in favour of the legatee, subject, nevertheless, to the charge of making good to the disappointed legatee the amount or value of the gift attempted to be given to him by the will.

182. The provisions of sections 180 and 81 apply whether the testator does or does not believe that which he professes to dispose of by his will to be his own.

Illustrations.

(i) The farm of Sultanpur was the property of C. A bequeathed it to B, giving a legacy of 1,000 rupees to C. C has elected to retain his farm of Sultanpur, which is worth 800 rupees. C forfeits his legacy of 1,000 rupees, of which 800 rupees goes to B, and the remaining 200 rupees falls into the residuary bequest, or devolves according to the rules of intestate succession, as the case may be.

(ii) A bequeaths an estate to B in case B's elder brother (who is married and has children) shall leave no issue living at his death. A also bequeaths to C a jewel, which belongs to B. B must elect to give up the jewel or to lose the estate.

(iii) A bequeaths to B 1,000 rupees, and to C an estate which will, under a settlement, belong to B if his elder brother (who is married and has children) shall leave no issue living at his death. B must elect to give up the estate or to lose the legacy.

(iv) A, a person of the age of 18, domiciled in British India but owning real property in England, to which C is heir at law, bequeaths a legacy to C and, subject thereto, devises and bequeaths to be "all my property whatsoever and wheresoever," and dies under 21. The real property in England does not pass by the will. C may claim his legacy without giving up the real property in England.

183. A bequest for a person's benefit is, for the purpose of election, the same thing as a bequest made to himself.

Illustration.

The farm of Sultanpur Khurd being the property of B. A. bequeathed it to C; and bequeathed another farm called Sultanpur Buzurg to his own executors with a direction that it should be sold and the proceeds applied in payment of B's debts. B must elect whether he will abide by the will, or keep his farm of Sultanpur Khurd in opposition to it.

184. A person taking no benefit directly under a will, but deriving a benefit under it indirectly, is not put to his election.

Illustration.

The lands of Sultanpur are settled upon C for life, and after his death upon D, his only child. A bequeaths the lands of Sultanpur to B, and 1,000 rupees to C. C dies intestate shortly after the

testator, and without having made any election. D takes out administration to C, and as administrator elects on behalf of C's estate to take under the will. In that capacity he receives the legacy of 1,000 rupees and accounts to B for the rents of the lands of Sultanpur which accrued after the death of the testator and before the death of C. In his individual character he retains the lands of Sultanpur in opposition to the will.

Person taking in individual capacity under will may in other character elect to take in opposition.

186. A person who in his individual capacity takes a benefit under a will may, in another character, elect to take in opposition to the will.

Illustration.

The estate of Sultanpur is settled upon A for life, and after his death, upon B. A leaves the estate of Sultanpur to D, and 2,000 rupees to B, and 1,000 rupees to C, who is A's only child. B dies intestate, shortly after the testator, without having made an election. C takes out administration to B, and as administrator elects to keep the estate of Sultanpur in opposition to the will, and to relinquish the legacy of 2,000 rupees. C may do this, and yet claim his legacy of 1,000 rupees under the will.

Exception to provisions of last six sections.

188. Notwithstanding anything contained in sections 180 to 185, where a particular gift is expressed in the will to be in lieu of something belonging to the legatee which is also in terms disposed of by the will, then, if the legatee claims that thing, he must relinquish the particular gift, but he is not bound to relinquish any other benefit given to him by the will.

Illustration.

Under A's marriage settlement his wife is entitled, if she survives him, to the enjoyment of the estate of Sultanpur during her life. A by his will bequeaths to his wife an annuity of 200 rupees during her life, in lieu of her interest in the estate of Sultanpur, which estate he bequeaths to his son. He also gives his wife a legacy of 1,000 rupees. The widow elects to take what she is entitled to under the settlement. She is bound to relinquish the annuity but not the legacy of 1,000 rupees.

When acceptance of benefit given by will constitutes election to take under will.

187. Acceptance of a benefit given by a will constitutes an election by the legatee to take under the will, if he had knowledge of his right to elect and of those circumstances which would influence the judgment of a reasonable man in making an election, or if he waives inquiry into the circumstances.

Illustrations.

(i) A is owner of an estate called Sultanpur Khurd, and has a life interest in another estate called Sultanpur Buzurg to which upon his death his son B will be absolutely entitled. The will of A gives the estate of Sultanpur Khurd to B, and the estate of Sultanpur Buzurg to C. B, in ignorance of his own right to the estate of Sultanpur Buzurg, allows C to take possession of it, and enters into possession of the estate of Sultanpur Khurd. B has not confirmed the bequest of Sultanpur Buzurg to C.

(ii) B, the eldest son of A, is the possessor of an estate called Sultanpur. A bequeaths Sultanpur to C, and to B the residue of A's property. B having been informed by A's executors that the residue will amount to 5,000 rupees allows C to take possession of Sultanpur. He afterwards discovers that the residue does not amount to more than 500 rupees. B has not confirmed the bequest of the estate of Sultanpur to C.

Circumstances in which knowledge or waiver is presumed or inferred.

189. (1) Such knowledge or waiver of inquiry shall, in the absence of evidence to the contrary, be presumed if the legatee has enjoyed for two years the benefits provided for him by the will without doing any act to express dissent.

(2) Such knowledge or waiver of enquiry may be inferred from any act of the legatee which renders it impossible to place the persons interested in the subject-matter of the bequest in the same condition as if such act had not been done.

Illustration.

A bequeaths to B an estate to which C is entitled, and to C a coal-mine. C takes possession of the mine and exhausts it. He has thereby confirmed the bequest of the estate to B.

When testator's representatives may call upon legatee to elect.

198. If the legatee does not, within one year after the death of the testator, signify to the testator's representatives his intention to confirm or to dissent from the will, the representatives shall, upon the expiration of that period, require him to make his election; and, if he does not comply with such requisition within a reasonable time after he has received it, he shall be deemed to have elected to confirm the will.

Postponement of election in case of disability.

199. In case of disability the election shall be postponed until the disability ceases, or until the election is made by some competent authority.

CHAPTER XXIII.

Of Gifts in Contemplation of Death.

Property transferable by gift made in contemplation of death.

201. (1) A man may dispose, by gift made in contemplation of death, of any moveable property which he could dispose of by will.

(2) A gift is said to be made in contemplation of death where a man, who is ill and expects to die shortly of his illness, delivers to another the possession of any moveable property to keep as a gift in case the donor shall die of that illness.

(3) Such a gift may be resumed by the giver; and shall not take effect if he recovers from the illness during which it was made; nor if he survives the person to whom it was made.

Illustrations.

(i) A, being ill, and in expectation of death delivers to B, to be retained by him in case of A's death,—

- a watch :
- a bond granted by C to A :
- a bank-note :
- a promissory note of the Government of India endorsed in blank :
- a bill of exchange endorsed in blank :
- certain mortgage-deeds.

A dies of the illness during which he delivered these articles.

B is entitled to—

- the watch :
- the debt secured by C's bond :
- the bank-note :
- the promissory note of the Government of India :
- the bill of exchange :
- the money secured by the mortgage deeds.

(ii) A, being ill, and in expectation of death, delivers to B the key of a trunk or the key of a warehouse in which goods of bulk belonging to A are deposited, with the intention of giving him the control over the contents of the trunk, or over the deposited goods, and desires him to keep them in case of A's death. A dies of the illness during which he delivered these articles. B is entitled to the trunk and its contents or to A's goods of bulk in the warehouse.

(iii) A, being ill, and in expectation of death, puts aside certain articles in separate parcels and marks upon the parcels respectively the names of B and C. The parcels are not delivered during the life of A. A dies of the illness during which he put aside the parcels. B and C are not entitled to the contents of the parcels.

PART VII.

PROTECTION OF PROPERTY OF DECEASED.

Person claiming right by succession to property of deceased may apply for relief against wrongful possession.

192. (1) If any person dies leaving property, moveable or immoveable, any person claiming a right by succession thereto, or to any portion thereof, may make application to the District Judge of the district where any part of the property is found or situate for relief, either after actual possession has been taken by another person, or when forcible means of seizing possession are apprehended.

(2) Any Agent, relative or near friend, or the Court of Wards in cases within their cognizance, may, in the event of any minor, or any disqualified or absent person being entitled by succession to such property as aforesaid, make the like application for relief.

Inquiry made by Judge.

193. The District Judge to whom such application is made shall, in the first place, examine the applicant on oath, and may make such further inquiry, if any, as he thinks necessary as to whether there is sufficient ground for believing that the party in possession or taking forcible means for seizing possession has no lawful title, and that the applicant, or the person on whose behalf he applies, is really entitled and is likely to be materially prejudiced if left to the ordinary remedy of a suit, and that the application is made *bonâ fide*.

Procedure.

194. If the District Judge is satisfied that there is sufficient ground for believing as aforesaid but not otherwise, he shall summon the party complained of, and give notice of vacant or disturbed possession by publication, and, after the expiration of a reasonable time, shall determine summarily the right to possession (subject to a suit as hereinafter provided) and shall deliver possession accordingly:

Provided that the Judge shall have the power to appoint an officer who shall take an inventory of effects, and seal or otherwise secure the same, upon being applied to for the purpose, without delay, whether he shall have concluded the inquiry necessary for summoning the party complained of or not.

Appointment of curator pending determination of proceeding.

195. If it further appears upon such inquiry as aforesaid that danger is to be apprehended of the misappropriation or waste of the property before the summary proceeding can be determined, and that the delay in obtaining security from the party in possession or the insufficiency thereof is likely to expose the party out of possession to considerable risk, provided he is the lawful owner, the District Judge may appoint one or more curators whose authority shall continue according to the terms of his or their respective appointments, and in no case beyond the determination of the summary proceeding and the confirmation or delivery of possession in consequence thereof:

Provided that, in the case of land, the Judge may delegate to the Collector, or to any officer subordinate to the Collector, the powers of a curator:

Provided, further, that every appointment of a curator in respect of any property shall be duly published.

Powers conferable on curator.

196. The District Judge may authorise the curator to take possession of the property either generally, or until security is given by the party in possession, or until inventories of the property have been made, or for any other purpose necessary for securing the property from misappropriation or waste by the party in possession:

Provided that it shall be in the discretion of the Judge to allow the party in possession to continue in such possession on giving security or not, and any continuance in

possession shall be subject to such orders as the Judge may issue touching inventories, or the securing of deeds or other effects.

Prohibition of exercise of certain powers by curators. Payment of debts, etc., to curator.

197. (1) Where a certificate has been granted under Part X or under the Succession Certificate Act, 1889, or a grant of probate or letters of administration has been made, a curator appointed under this Part shall not exercise any authority lawfully belonging to the holder of the certificate or to the executor or administrator.

(2) All persons who have paid debts or rents to a curator authorised by a Court to receive them shall be indemnified, and the curator shall be responsible for the payment thereof to the person who has obtained the certificate, probate or letters of administration, as the case may be.

Curator to give security and may receive remuneration.

198. (1) The District Judge shall take from the curator security for the faithful discharge of his trust, and for rendering satisfactory accounts of the same as hereinafter provided, and may, authorise him to receive out of the property such remuneration, in no case exceeding five per centum on the moveable property and on the annual profits of the immoveable property, as the District Judge thinks reasonable.

(2) All surplus money realized by the curator shall be paid into Court, and invested in public securities for the benefit of the persons entitled thereto upon adjudication of the summary proceeding.

(3) Security shall be required from the curator with all reasonable despatch, and, where it is practicable, shall be taken generally to answer all cases for which the person may be afterwards appointed curator; but no delay in the taking of security shall prevent the Judge from immediately investing the curator with the powers of his office.

Report from Collector where estate includes revenue-paying land.

199. (1) Where the estate of the deceased person consists wholly or in part of land paying revenue to Government, in all matters regarding the propriety of summoning the party in possession, of appointing a curator, or of nominating individuals to that appointment, the District Judge shall demand a report from the Collector, and the Collector shall thereupon furnish the same:

Provided that in cases of urgency the Judge may proceed, in the first instance, without such report.

(2) The Judge shall not be obliged to act in conformity with any such report, but in case of his acting otherwise than according to such report, he shall immediately forward a statement of his reasons to the High Court, and the High Court, if it is dissatisfied with such reasons, shall direct the Judge to proceed conformably to the report of the Collector.

Institution and defence of suits.

200. The curator shall be subject to all orders of the District Judge regarding the institution or the defence of suits, and all suits may be instituted or defended in the name of the curator on behalf of the estate:

* Provided that an express authority shall be requisite in the order of the curator's appointment for the collection of debts or rents: but such express authority shall enable the curator to give a full acquittance for any sums of money received by virtue thereof.

Allowances to apparent owners pending custody of property.

201. Pending the custody of the property by the curator, the District Judge may make such allowances to parties having a *prima facie* right thereto as upon a summary investigation of the rights and circumstances

of the parties interested he considers necessary, and may, at his discretion, take security for the repayment thereof with interest, in the event of the party being found, upon the adjudication of the summary proceeding, not to be entitled thereto.

Accounts to be
filed by curator.

202. The curator shall file monthly accounts in abstract, and shall, on the expiry of each period of three months, if his administration lasts so long, and upon giving up the possession of the property, file a detailed account of his administration to the satisfaction of the District Judge.

Inspection of
accounts and right
of interested party
to keep duplicate

203. (1) The accounts of the curator shall be open to the inspection of all parties interested; and it shall be competent for any such interested party to appoint a separate person to keep a duplicate account of all receipts and payments by the curator.

(2) If it is found that the accounts of the curator are in arrear, or that they are erroneous or incomplete, or if the curator does not produce them whenever he is ordered to do so by the District Judge, he shall be punishable with fine not exceeding one thousand rupees for every such default.

Bar to appointment
of second curator
for same property.

204. If the Judge of any district has appointed a curator, in respect of the whole of the property of a deceased person, such appointment shall preclude the Judge of any other district within the same province from appointing any other curator, but the appointment of a curator in respect of a portion of the property of the deceased shall not preclude the appointment within the same province of another curator in respect of the residue or any portion thereof:

Provided that no Judge shall appoint a curator or entertain a summary proceeding in respect of property which is the subject of a summary proceeding previously instituted under this Part before another Judge:

Provided, further, that if two or more curators are appointed by different Judges for several parts of an estate, the High Court may make such order as it thinks fit for the appointment of one curator of the whole property.

Limitation of time
for application for
curator.

205. An application under this Part to the District Judge must be made within six months of the death of the proprietor whose property is claimed by right in succession.

Bar to enforcement
of Part against
public settlement
or legal directions
by deceased.

206. Nothing in this Part shall be deemed to authorise the contravention of any public act of settlement or of any legal directions given by a deceased proprietor of any property for the possession of his property after his decease in the event of minority or otherwise, and, in every such case, as soon as the Judge having jurisdiction over the property of a deceased person is satisfied of the existence of such directions, he shall give effect thereto.

Court of Wards to
be made curator in
case of minors
having property
subject to its
jurisdiction.

207. Nothing in this Part shall be deemed to authorise any disturbance of the possession of a Court of Wards of any property; and in case a minor, or other disqualified person whose property is subject to the Court of Wards, is the party on whose behalf application is made under this Part, the District Judge, if he determines to summon the party in possession and so appoint a curator, shall invest the Court of Wards with the curatorship of the estate pending the proceeding without taking security as aforesaid; and if the minor or other disqualified person, upon the adjudication of the summary proceeding, appears to be entitled to the property, possession shall be delivered to the Court of Wards.

Saving of right to bring suit.

209. Nothing contained in this Part shall be any impediment to the bringing of a suit either by the party whose application may have been rejected before or after the summoning of the party in possession, or by the party who may have been evicted from the possession under this Part.

Effect of decision of summary proceeding

210. The decision of a District Judge in a summary proceeding under this part shall have no other effect than that of settling the actual possession; but for this purpose it shall be final, and shall not be subject to any appeal or review.

Appointment of public curators

211. The Local Government may appoint public curators for any district or number of districts; and the District Judge having jurisdiction shall nominate such public curators in all cases where the choice of a curator is left discretionary with him under this Part.

PART VIII.

REPRESENTATIVE TITLE TO PROPERTY OF DECEASED OR SUCCESSION.

Character and property of executor or administrator as such

211. (1) The executor or administrator, as the case may be, of a deceased person is his legal representative for all purposes, and all the property of the deceased person vests in him as such

(2) When the deceased was a Hindu, Muhammadan, Buddhist, Sikh or Jaina or an exempted person, nothing herein contained shall vest in an executor or administrator any property of the deceased person which would otherwise have passed by survivorship to some other person

Right to intestate property

212. (1) No right to any part of the property of a person who has died intestate can be established in any Court of justice, unless letters of administration have first been granted by a Court of competent jurisdiction

(2) This section shall not apply in the case of the intestacy of a Hindu, Muhammadan, Buddhist, Sikh, Jaina or Indian Christian

Right as executor or legatee when authentic

213. (1) No right as executor or legatee can be established in any Court of justice, unless a Court of competent jurisdiction in British India has granted probate of the will under which the right is claimed, or has granted letters of administration with the will or with a copy of an authenticated copy of the will annexed.

(2) This section shall not apply in the case of wills made by Muhammadans, and shall only apply in the case of wills made by any Hindu, Buddhist, Sikh or Jaina where such wills are of the class specified in section 57.

Proof of representative title a condition precedent to recovery by the Court of debts from deceased persons

214. (1) No Court shall -

(a) pass a decree against a debtor of a deceased person for payment of his debt to a person claiming on succession to be entitled to the effects of the deceased person or to any part thereof, or

(b) proceed, upon an application of a person claiming to be so entitled, to execute against such a debtor a decree or order for the payment of his debt.

except on the production, by the person so claiming, of -

(1) a probate or letters of administration evidencing the grant to him of administration to the estate of the deceased; or

- (ii) a certificate granted under section 31 or section 32 of the Administrator-General's Act, 1913, III of 1913, and having the debt mentioned therein, or
- (iii) a succession certificate granted under Part X and having the debt specified therein, or
- (iv) a certificate granted under the Succession Certificate Act, 1889, or VII of 1889.
- (v) a certificate granted under Bombay Regulation No. VIII of 1827 and, if granted after the first day of May, 1889, having the debt specified therein.

(2) The word "debt" in sub-section (1) includes any debt except rent, revenue or profits payable in respect of land used for agricultural purposes.

Effect on certificate of subsequent probate or letters of administration

218. (1) A grant of probate or letters of administration in respect of an estate shall be deemed to supersede any certificate previously granted under Part X or under the Succession Certificate Act, 1889, or Bombay Regulation No. VIII of 1827, in respect of any debts or securities included in the estate.

VII of 1889.

(2) When at the time of the grant of the probate or letters any suit or other proceeding instituted by the holder of any such certificate regarding any such debt or security is pending, the person to whom the grant is made shall, on applying to the Court in which the suit or proceeding is pending, be entitled to take the place of the holder of the certificate in the suit or proceeding :

Provided that, when any certificate is superseded under this section, all payments made to the holder of such certificate in ignorance of such supersession shall be held good against claims under the probate or letters of administration.

Grantee of probate or administration alone to sue, etc., until same revoked.

218. After any grant of probate or letters of administration, no other than the person to whom the same may have been granted shall have power to sue or prosecute any suit, or otherwise act as representative of the deceased, throughout the province in which the same may have been granted, until such probate or letters of administration has or have been recalled or revoked.

PART IX.

PROBATE, LETTERS OF ADMINISTRATION AND ADMINISTRATION OF ASSETS OF DECEASED.

Application of Part.

217. Save as otherwise provided by this Act or by any other law for the time being in force, all grants of probate and letters of administration with the will annexed and the administration of the assets of the deceased in cases of intestate succession shall be made or carried out, as the case may be, in accordance with the provisions of this Part.

CHAPTER I.

Of Grant of Probate and Letters of Administration.

To whom administration may be granted, where deceased is a Hindu, Muhammadan, Buddhist, Sikh, Jain or exempted person.

218. (1) If the deceased has died intestate and was a Hindu, Muhammadan, Buddhist, Sikh or Jain or an exempted person, administration of his estate may be granted to any person who, according to the rules for the distribution of the estate applicable in the case of such deceased would be entitled to the whole or any part of such deceased's estate.

(2) When several such persons apply for such administration, it shall be in the discretion of the Court to grant it to any one or more of them.

(d) When no such person applies, it may be granted to a creditor of the deceased.

Where deceased is not a Hindu, Muhammadan, Buddhist, Sikh, Jain or exempted person.

219. If the deceased has died intestate and was not a person belonging to any of the classes referred to in section 218, those who are connected with him, either by marriage or by consanguinity, are entitled to obtain letters of administration of his estate and effects in the order and according to the rules hereinafter stated, namely:—

(a) If the deceased has left a widow, administration shall be granted to the widow, unless the Court sees cause to exclude her, either on the ground of some personal disqualification, or because she has no interest in the estate of the deceased.

Illustrations.

(i) The widow is a lunatic or has committed adultery or has been barred by her marriage settlement of all interest in her husband's estate. There is cause for excluding her from the administration.

(ii) The widow has married again since the decease of her husband. This is not good cause for her exclusion.

(b) If the Judge thinks proper, he may associate any person or persons with the widow in the administration who would be entitled solely to the administration if there were no widow.

(c) If there is no widow, or if the Court sees cause to exclude the widow, it shall commit the administration to the person or persons who would be beneficially entitled to the estate according to the rules for the distribution of an intestate's estate:

Provided that, when the mother of the deceased is one of the class of persons so entitled, she shall be solely entitled to administration.

(d) Those who stand in equal degree of kindred to the deceased are equally entitled to administration.

(e) The husband surviving his wife has the same right of administration of her estate as the widow has in respect of the estate of her husband.

(f) When there is no person connected with the deceased by marriage or consanguinity who is entitled to letters of administration and willing to act, they may be granted to a creditor.

(g) Where the deceased has left property in British India, letters of administration shall be granted according to the foregoing rules, notwithstanding that he had his domicile in a country in which the law relating to testate and intestate succession differs from the law of British India.

Effect of letters of administration.

220. Letters of administration entitle the administrator to all rights belonging to the intestate as effectually as if the administration had been granted at the moment after his death.

Acts not validated by administration.

221. Letters of administration do not render valid any intermediate acts of the administrator tending to the diminution or damage of the intestate's estate.

Letters only to appointed executor.

222. (1) Probate shall be granted only to an executor appointed by the will.

(2) The appointment may be expressed or by necessary implication.

Illustrations.

(a) A will that C be his executor if B will not. B is appointed executor by implication.

(iii) A gives a legacy to B and several legacies to other persons, among the rest to his daughter-in-law C, and adds "but should the within named C be not living, I do constitute and appoint B my whole and sole executrix." C is appointed executrix by implication.

(iii) A appoints several persons executors of his will and codicils and his nephew residuary legatee, and in another codicil are these words,—"I appoint my nephew my residuary legatee to discharge all lawful demands against my will and codicils signed of different dates." The nephew is appointed an executor by implication.

Persons to whom probate cannot be granted.

223. Probate cannot be granted to any person who is a minor or is of unsound mind, nor, unless the deceased was a Hindu, Muhammadan, Buddhist, Sikh or Jaina or an exempted person, to a married woman without the previous consent of her husband.

Grant of probate to several executors simultaneously or at different times.

224. When several executors are appointed, probate may be granted to them all simultaneously or at different times.

Illustration.

A is an executor of B's will by express appointment and C an executor of it by implication. Probate may be granted to A and C at the same time or to A first and then to C or to C first and then to A.

Separate probate of codicil discovered after grant of probate.

225. (1) If a codicil is discovered after the grant of probate, a separate probate of that codicil may be granted to the executor, if it in no way repeals the appointment of executors made by the will.

(2) If different executors are appointed by the codicil, the probate of the will shall be revoked, and a new probate granted of the will and the codicil together.

Accrual of representation to surviving executor.

226. When probate has been granted to several executors, and one of them dies, the entire representation of the testator accrues to the surviving executor or executors.

Effect of probate.

227. Probate of a will when granted establishes the will from the death of the testator, and renders valid all intermediate acts of the executor as such.

Administration with copy annexed of authenticated copy of will proved abroad.

228. When a will has been proved and deposited in a Court of competent jurisdiction situated beyond the limits of the Province, whether within or beyond the limits of His Majesty's dominions, and a properly authenticated copy of the will is produced, letters of administration may be granted with a copy of such copy annexed.

Grant of administration where executor has not renounced.

229. When a person appointed an executor has not renounced the executorship, letters of administration shall not be granted to any other person until a citation has been issued, calling upon the executor to accept or renounce his executorship:

Provided that, when one or more of several executors have proved a will, the Court may, on the death of the survivor of those who have proved, grant letters of administration without citing those who have not proved.

Form and effect of renunciation of executorship.

230. The renunciation may be made orally in the presence of the Judge or by a writing signed by the person renouncing, and when made shall preclude him from ever thereafter applying for probate of the will appointing him executor.

Procedure where
executor renounces
or fails to accept
within time
limited.

231. If an executor renounces, or fails to accept an executorship within the time limited for the acceptance or refusal thereof, the will may be proved and letters of administration with a copy of the will annexed may be granted to the person who would be entitled to administration in case of intestacy.

Grant of
administration to
universal or
residuary legatees.

232. When—

- (a) the deceased has made a will, but has not appointed an executor, or
- (b) the deceased has appointed an executor who is legally incapable or refuses to act, or who has died before the testator or before he has proved the will, or
- (c) the executor dies after having proved the will but before he has administered all the estates of the deceased,

an universal or a residuary legatee may be admitted to prove the will, and letters of administration with the will annexed may be granted to him of the whole estate, or of so much thereof as may be unadministered.

Right to
administration of
representative of
deceased residuary
legatee

233. When a residuary legatee who has a beneficial interest survives the testator, but dies before the estate has been fully administered, his representative has the same right to administration with the will annexed as such residuary legatee.

Grant of
administration
where no
executor, nor
residuary legatee
nor representative
of such legatee.

234. When there is no executor and no residuary legatee or representative of a residuary legatee, or he declines or is incapable to act, or cannot be found, the person or persons who would be entitled to the administration of the estate of the deceased if he had died intestate or any other legatee having a beneficial interest, or a creditor, may be admitted to prove the will, and letters of administration may be granted to him or them accordingly.

Citation before
grant of
administration to
legatee other than
universal or
residuary.

235. Letters of administration with the will annexed shall not be granted to any legatee other than an universal or a residuary legatee, until a citation has been issued and published in the manner hereinafter mentioned, calling on the next-of-kin to accept or refuse letters of administration.

To whom
administration
may not be granted.

236. Letters of administration cannot be granted to any person who is a minor or is of unsound mind, nor, unless the deceased was a Hindu, Muhammadan, Buddhist, Sikh, or Jaina or an exempted person, to a married woman without the previous consent of her husband.

CHAPTER II.

OF LIMITED GRANTS.

Grants limited in Duration.

Probate of copy or
draft of lost will.

237. When a will has been lost or mislaid since the testator's death, or has been destroyed by wrong or accident and not by any act of the testator, and a copy or the draft of the will has been preserved, probate may be granted of such copy or draft, limited until the original or a properly authenticated copy of it is produced.

Probate of contents
of lost or destroyed
will.

238. When a will has been lost or destroyed and no copy has been made nor the draft preserved, probate may be granted of its contents if they can be established by evidence.

Probate of copy
where original
exists

239. When the will is in the possession of a person residing out of the province in which application for probate is made, who has refused or neglected to deliver it up, but a copy has been transmitted to the executor, and it is necessary for the interests of the estate that probate should be granted without waiting for the arrival of the original, probate may be granted of the copy so transmitted, limited until the will or an authenticated copy of it is produced.

Administration
until will
produced.

240. Where no will of the deceased is forthcoming, but there is reason to believe that there is a will in existence, letters of administration may be granted, limited until the will or an authenticated copy of it is produced.

Grants for the use and benefit of others having Right.

Administration,
with will annexed,
to attorney of
absent executor.

241. When any executor is absent from the province in which application is made, and there is no executor within the province willing to act, letters of administration, with the will annexed, may be granted to the attorney or agent of the absent executor, for the use and benefit of his principal, limited until he shall obtain probate or letters of administration granted to himself.

Administration,
with will annexed,
to attorney of
absent person,
who, if present,
would be
entitled to
administer.

242. When any person to whom, if present, letters of administration, with the will annexed, might be granted, is absent from the province, letters of administration, with the will annexed, may be granted to his attorney or agent, limited as mentioned in section 241.

Administration to
attorney of absent
person entitled to
administer in case
of intestacy.

243. When a person entitled to administration in case of intestacy is absent from the province, and no person equally entitled is willing to act, letters of administration may be granted to the attorney or agent of the absent person, limited as mentioned in section 241.

Administration
during minority
of sole executor or
residuary legatee.

244. When a minor is sole executor or sole residuary legatee, letters of administration, with the will annexed, may be granted to the legal guardian of such minor or to such other person as the Court may think fit until the minor has attained his majority at which period, and not before, probate of the will shall be granted to him.

Administration
during minority of
several executors
or residuary
legatees.

245. When there are two more or minor executors and no executor who has attained majority, or two or more residuary legatees and no residuary legatee who has attained majority, the grant shall be limited until one of them shall have attained his majority.

Administration for
use and benefit of
lunatic or
minor

246. If a sole executor or a sole universal or residuary legatee, or a person who would be solely entitled to the estate of the intestate according to the rule for the distribution of intestates' estates applicable in the case of the deceased, is a minor or lunatic, letters of administration, with or without the will annexed, as the case may be, shall be granted to the person to whom the care of his estate has been committed by competent authority, or, if there is no such person, to such other person as the Court may think fit to appoint, for the use and benefit of the minor or lunatic until he attains majority or becomes of sound mind, as the case may be.

Administration
pendente lite.

247. Pending any suit touching the validity of the will of a deceased person or for obtaining or revoking any probate or any grant of letters of administration, the Court may appoint an administrator of the estate of such deceased person, who shall have all the rights and powers

of a general administrator, other than the right of distributing such assets, and every such administrator shall be subject to the immediate control of the Court and shall act under its direction.

Grants for Special Purposes.

Probate limited to purpose specified in will.

248. If an executor is appointed for any limited purpose specified in the will, the probate shall be limited to that purpose, and if he should appoint an attorney or agent, to take administration on his behalf, the letters of administration, with the will annexed, shall be limited accordingly.

Administration, with will annexed, limited to particular purpose.

249. If an executor appointed generally gives an authority to an attorney or agent to prove a will on his behalf, and the authority is limited to a particular purpose, the letters of administration, with the will annexed, shall be limited accordingly.

Administration limited to property in which person has beneficial interest.

250. Where a person dies, leaving property of which he was the sole or surviving trustee, or in which he had no beneficial interest on his own account, and leaves no general representative, or one who is unable or unwilling to act as such, letters of administration, limited to such property, may be granted to the beneficiary, or to some other person on his behalf.

Administration limited to suit.

251. When it is necessary that the representative of a person deceased be made a party to a pending suit, and the executor or person entitled to administration is unable or unwilling to act, letters of administration may be granted to the nominee of a party in such suit, limited for the purpose of representing the deceased in the said suit, or in any other cause or suit which may be commenced in the same or in any other Court between the parties, or any other parties, touching the matters at issue in the said cause or suit, and until a final decree shall be made therein and carried into complete execution.

Administration limited to purpose of becoming party to suit to be brought against administrator.

252. If, at the expiration of twelve months from the date of any probate or letters of administration, the executor or administrator to, whom the same has been granted is absent from the province within which the Court which has granted the probate or letters of administration exercises jurisdiction, the Court may grant, to any person whom it may think fit, letters of administration limited to the purpose of becoming and being made a party to a suit to be brought against the executor or administrator and carrying the decree which may be made therein into effect.

Administration limited to collection and preservation of deceased's property.

253. In any case in which it appears necessary for preserving the property of a deceased person, the Court within whose jurisdiction any of the property is situated may grant to any person, whom such Court may think fit, letters of administration limited to the collection and preservation of the property of the deceased and to the giving of discharges for debts due to his estate, subject to the directions of the Court.

Appointment, as administrator, of person other than one who, in ordinary circumstances, would be entitled to administration.

254. (1) When a person has died intestate, or leaving a will of which there is no executor willing and competent to act or where the executor is, at the time of the death of such person, absent out of the province, and it appears to the Court to be necessary or convenient to appoint some person to administer the estate or any part

thereof, other than the person who, in ordinary circumstances, would be entitled to a grant of administration, the Court may, in its discretion, having regard to community, amount of interest, the safety of the estate and probability that it will be properly administered, appoint such person as it thinks fit to be administrator.

(2) In every such case letters of administration may be limited or not as the Court thinks fit.

Grants with exception.

Probate or administration, with will annexed, subject to exception.

255. Whenever the nature of the case requires that an exception be made, probate of a will, or letters of administration with the will annexed, shall be granted subject to such exception.

Administration with exception.

256. Whenever the nature of the case requires that an exception be made, letters of administration shall be granted subject to such exception.

Grants of the rest.

Probate or administration of rest.

257. Whenever a grant with exception of probate, or of letters of administration with or without the will annexed, has been made, the person entitled to probate or administration of the remainder of the deceased's estate may take a grant of probate or letters of administration, as the case may be, of the rest of the deceased's estate.

Grant of effects unadministered.

Grant of effects unadministered.

258. If an executor to whom probate has been granted has died, leaving a part of the testator's estate unadministered, a new representative may be appointed for the purpose of administering such part of estate.

Rules as to grants of effects unadministered.

259. In granting letters of administration of an estate not fully administered, the Court shall be guided by the same rules as apply to original grants, and shall grant letters of administration to those persons only to whom original grants might have been made.

Administration when limited grant expired and still some part of estate unadministered.

260. When a limited grant has expired by efflux of time, or the happening of the event or contingency on which it was limited, and there is still some part of deceased's estate unadministered, letters of administration shall be granted to those persons to whom original grants might have been made.

CHAPTER III.

Alteration and revocation of grants.

What errors may be rectified by Court.

261. Errors in names and descriptions, or in setting forth the time and place of the deceased's death, or the purpose in a limited grant, may be rectified by the Court and the grant of probate or letters of administration may be altered and amended accordingly.

Procedure where codicil discovered after grant of administration with will annexed.

262. If, after the grant of letters of administration with the will annexed, a codicil is discovered, it may be added to the grant on due proof and identification, and the grant may be altered and amended accordingly.

Revocation or annulment for just cause.

233. The grant of probate or letters of administration may be revoked or annulled for just cause.

Explanation.—Just cause shall be deemed to exist where—

- (a) the proceedings to obtain the grant were defective in substance; or
- (b) the grant was obtained fraudulently by making a false suggestion, or by concealing from the Court something material to the case; or
- (c) the grant was obtained by means of an untrue allegation of a fact essential in point of law to justify the grant, though such allegation was made in ignorance or inadvertently; or
- (d) the grant has become useless and inoperative through circumstances; or
- (e) the person to whom the grant was made has wilfully and without reasonable cause omitted to exhibit an inventory or account in accordance with the provisions of Chapter VII of this Part, or has exhibited under that Chapter an inventory or account which is untrue in a material respect.

Illustrations.

- (i) The Court by which the grant was made had no jurisdiction.
- (ii) The grant was made without citing parties who ought to have been cited.
- (iii) The will of which probate was obtained was forged or revoked.
- (iv) A obtained letters of administration to the estate of B, as his widow, but it has since transpired that she was never married to him.
- (v) A has taken administration to the estate of B as if he had died intestate, but a will has since been discovered.
- (vi) Since probate was granted, a later will has been discovered.
- (vii) Since probate was granted, a codicil has been discovered which revokes or adds to the appointment of executors under the will.
- (viii) The person to whom probate was, or letters of administration were, granted has subsequently become of unsound mind.

CHAPTER IV.

Of the practice in granting and revoking probates and letters of administration.

Jurisdiction of District Judge in granting and revoking probate.

234. (1) The District Judge shall have jurisdiction in granting and revoking probates and letters of administration in all cases within his district.

(2) Except in cases to which section 57 applies, no Court in any local area beyond the limits of the towns of Calcutta, Madras and Bombay, and the province of Burma, shall, where the deceased is a Hindu, Muhammadan, Buddhist, Sikh or Jain or an exempted person, receive applications for probate or letters of administration until the Local Government has, by a notification in the local official Gazette, authorised it so to do.

Power to appoint Delegate of District Judge to deal with non-contentious cases.

235. (1) The High Court may appoint such judicial officers within any district as it thinks fit to act for the District Judge as Delegates to grant probate and letters of administration in non-contentious cases, within such local limits as it may prescribe:

Provided that, in the case of High Courts not established by Royal Charter, such appointment shall not be without the previous sanction of the Local Government.

(2) Persons so appointed shall be called "District Delegates".

District Judge's powers as to grant of probate and administration.

266. The District Judge shall have the like powers and authority in relation to the granting of probate and letters of administration, and all matters connected therewith, as are by law vested in him in relation to any civil suit or proceeding pending in his Court.

District Judge may order person to produce testamentary papers.

267. (1) The District Judge may order any person to produce and bring into Court any paper or writing, being or purporting to be testamentary, which may be shown to be in the possession or under the control of such person.

(2) If it is not shown that any such paper or writing is in the possession or under the control of such person, but there is reason to believe that he has the knowledge of any such paper or writing, the Court may direct such person to attend for the purpose of being examined respecting the same.

(3) Such person shall be bound to answer truly such questions as may be put to him by the Court, and, if so ordered, to produce and bring in such paper or writing, and shall be subject to the like punishment under the Indian Penal Code, in case of default in not attending or in not answering such questions or not bringing in such paper or writing, as he would have been subject to in case he had been a party to a suit and had made such default.

XLV of 1880.

(4) The costs of the proceeding shall be in the discretion of the Judge.

Proceedings of District Judge's Court in relation to probate and administration.

268. The proceedings of the Court of the District Judge in relation to the granting of probate and letters of administration shall, save as hereinafter otherwise provided, be regulated, so far as the circumstances of the case permit, by the Code of Civil Procedure, 1908.

V of 1908.

When and how District Judge to interfere for protection of property.

269. (1) Until probate is granted of the will of a deceased person, or an administrator of his estate is constituted, the District Judge, within whose jurisdiction any part of the property of the deceased person is situate, is authorised and required to interfere for the protection of such property at the instance of any person claiming to be interested therein, and in all other cases where the Judge considers that the property incurs any risk of loss or damage; and for that purpose, if he thinks fit, to appoint an officer to take and keep possession of the property.

(2) This section shall not apply when the deceased is a Hindu, Muhammadan, Buddhist, Sikh or Jaina or an exempted person, nor shall it apply to any part of the property of an Indian Christian who has died intestate.

When probate or administration may be granted by District Judge.

270. Probate of the will or letters of administration to the estate of a deceased person may be granted by a District Judge under the seal of his Court, if it appears by a petition, verified as hereinafter provided, of the person applying for the same that the testator or intestate, as the case may be, at the time of his decease had a fixed place of abode, or any property, moveable or immovable, within the jurisdiction of the Judge.

Disposal of application made to Judge of district in which deceased had no fixed abode.

271. When the application is made to the Judge of a district in which the deceased had no fixed abode at the time of his death, it shall be in the discretion of the Judge to refuse the application, if in his judgment it could be disposed of more justly or conveniently in another district.

or, where the application is for letters of administration, to grant them absolutely, or limited to the property within his own jurisdiction.

Probate and letters of administration may be granted by Delegate.

272. Probate and letters of administration may, upon application for that purpose to any District Delegate, be granted by him in any case in which there is no contention, if it appears by petition, verified as hereinafter provided, that the testator or intestate, as the case may be, at the time of his death had a fixed place of abode within the jurisdiction of such Delegate.

Conclusiveness of probate or letters of administration.

273. Probate or letters of administration shall have effect over all the property and estate, moveable or immoveable, of the deceased, throughout the province in which the same is or are granted, and shall be conclusive as to the representative title against all debtors of the deceased, and all persons holding property which belongs to him, and shall afford full indemnity to all debtors, paying their debts and all persons delivering up such property to the person to whom such probate or letters of administration have been granted :

Provided that probates and letters of administration granted—

(a) by a High Court, or

(b) by a District Judge, where the deceased at the time of his death had a fixed place of abode situate within the jurisdiction of such Judge, and such Judge certifies that the value of the property and estate affected beyond the limits of the province does not exceed ten thousand rupees,

shall, unless otherwise directed by the grant, have like effect throughout the whole of British India.

Transmission to High Courts of certificate of grants under proviso to section 273.

274. (1) Where probate or letters of administration has or have been granted by a High Court or District Judge with the effect referred to in the proviso to section 273, the High Court or District Judge shall send a certificate thereof to the following Courts, namely :—

(a) when the grant has been made by a High Court, to each of the other High Courts ;

(b) when the grant has been made by a District Judge, to the High Court to which such District Judge is subordinate and to each of the other High Courts.

(2) Every certificate referred to in sub-section (1) shall be made as nearly as circumstances admit in the form set forth in Schedule IV, and such certificate shall be filed by the High Court receiving the same.

(3) Where any portion of the assets has been stated by the petitioner, as hereinafter provided in sections 276 and 278, to be situate within the jurisdiction of a District Judge in another province, the Court required to send the certificate referred to in sub-section (1) shall send a copy thereof to such District Judge, and such copy shall be filed by the District Judge receiving the same.

Conclusiveness of application for probate or administration if properly made and verified.

275. The application for probate or letters of administration, if made and verified in the manner hereinafter provided, shall be conclusive for the purpose of authorising the grant of probate or administration : and no such grant shall be impeached by reason only that the testator or intestate had no fixed place of abode or no property within the district at the time of his death, unless by a proceeding to revoke the grant if obtained by a fraud upon the Court.

Petition for probate.

276. (1) Application for probate or for letters of administration, with the will annexed, shall be made by a petition distinctly written in English or in the language in ordinary use in proceedings before the Court in which the application is made, with the will or in the cases mentioned in sections 237, 238 and 239, a copy, draft or statement of the contents thereof, annexed, and stating—

- (a) the time of the testator's death,
- (b) that the writing annexed is his last will and testament,
- (c) that it was duly executed,
- (d) the amount of assets which are likely to come to the petitioner's hands, and
- (e) when the application is for probate, that the petitioner is the executor named in the will.

(2) In addition to these particulars, the petition shall further state,—

- (a) when the application is to the District Judge, that the deceased at the time of his death had a fixed place of abode, or had some property, situate within the jurisdiction of the Judge; and
- (b) when the application is to a District Delegate, that the deceased at the time of his death had a fixed place of abode within the jurisdiction of such Delegate.

(3) Where the application is to the District Judge and any portion of the assets likely to come to the petitioner's hands is situate in another province, the petition shall further state the amount of such assets in each province and the District Judges within whose jurisdiction such assets are situate.

In what cases translation of will to be annexed to petition.
Verification of translation by person other than Court translator.

277. In cases wherein the will, copy or draft is written in any language other than English or than that in ordinary use in proceedings before the Court, there shall be a translation thereof annexed to the petition by a translator of the Court, if the language be one for which a translator is appointed; or, if the will, copy or draft is in any other language, then by any person competent to translate the same, in which case such translation shall be verified by that person in the following manner, namely:—

"I (A. B.) do declare that I read and perfectly understand the language and character of the original, and that the above is a true and accurate translation thereof."

Petition for letters of administration.

278. (1) Application for letters of administration shall be made by petition distinctly written as aforesaid and stating—

- (a) the time and place of the deceased's death,
- (b) the family or other relatives of the deceased, and their respective residences,
- (c) the right in which the petitioner claims,
- (d) the amount of assets which are likely to come to the petitioner's hands,
- (e) when the application is to the District Judge, that the deceased at the time of his death had a fixed place of abode, or had some property, situate within the jurisdiction of the Judge; and

(f) when the application is to a District Delegate, that the deceased at the time of his death had a fixed place of abode within the jurisdiction of such Delegate.

(g) Where the application is to the District Judge and any portion of the assets likely to come to the petitioner's hands is situate in another province, the petition shall further state the amount of such assets in each province and the District Judges within whose jurisdiction such assets are situate.

Addition to statement in petition, etc., for probate or letters of administration in certain cases.

273. (1) Every person applying to any of the Courts mentioned in the proviso to section 273 for probate of a will or letters of administration of an estate intended to have effect throughout British India, shall state in his petition, in addition to the matters respectively required by section 276 and section 278, that to the best of his belief no application has been made to any other Court for a probate of the same will or for letters of administration of the same estate, intended to have such effect as last aforesaid,

or, where any such application has been made, the Court to which it was made, the person or persons by whom it was made and the proceedings (if any) had thereon.

(2) The Court to which any such application is made under the proviso to section 273 may, if it thinks fit, reject the same.

Petition for probate, etc., to be signed and verified.

280. The petition for probate or letters of administration shall in all cases be subscribed by the petitioner and his pleader, if any, and shall be verified by the petitioner in the following manner, namely :—

"I (A. B.), the petitioner in the above petition, declare that what is stated therein is true to the best of my information and belief."

Verification of petition for probate, by one witness to will.

281. Where the application is for probate, the petition shall also be verified by at least one of the witnesses to the will (when procurable) in the manner or to the effect following, namely :—

"I (C. D.), one of the witnesses to the last will and testament of the testator mentioned in the above petition, declare that I was present and saw the said testator affix his signature (or mark) thereto (or that the said testator acknowledged the writing annexed to the above petition to be his last will and testament in my presence).

Punishment for false averment in petition or declaration.

282. If any petition or declaration which is hereby required to be verified contains any averment which the person making the verification knows or believes to be false, such person shall be deemed to have committed an offence under section 193 of the Indian Penal Code.

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Powers of District Judge.

283. (1) In all cases the District Judge or District Delegate may, if he thinks proper,—

- (a) examine the petitioner in person, upon oath;
- (b) require further evidence of the due execution of the will or the right of the petitioner to the letters of administration, as the case may be;
- (c) issue citations calling upon all persons claiming to have any interest in the estate of the deceased to come and see the proceedings before the grant of probate or letters of administration.

(2) The citation shall be fixed up in some conspicuous part of the court-house, and also in the office of the Collector of the district and otherwise published or made known in such manner as the Judge or District Delegate issuing the same may direct.

(3) Where any portion of the assets has been stated by the petitioner to be situate within the jurisdiction of a District Judge in another province, the District Judge issuing the same shall cause a copy of the citation to be sent to such other District Judge, who shall publish the same in the same manner as if it were a citation issued by himself, and shall certify such publication to the District Judge who issued the citation.

Caveats against grant of probate or administration.

294. (1) Caveats against the grant of probate or administration may be lodged with the District Judge or a District Delegate.

(2) Immediately on any caveat being lodged with any District Delegate, he shall send copy thereof to the District Judge.

(3) Immediately on a caveat being entered with the District Judge, a copy thereof shall be given to the District Delegate, if any, within whose jurisdiction it is alleged the deceased had a fixed place of abode at the time of his death, and to any other Judge or District Delegate to whom it may appear to the District Judge expedient to transmit the same.

Form of caveat

(4) The caveat shall be made as nearly as circumstances admit in the form set forth in Schedule V.

After entry of caveat, no proceeding taken on petition until after notice to caveator.

295. No proceeding shall be taken on a petition for probate or letters of administration after a caveat against the grant thereof has been entered with the Judge or District Delegate to whom the application has been made or notice has been given of its entry with some other Delegate, until after such notice to the person by whom the same has been entered as the Court may think reasonable.

District Delegate when not to grant probate or administration.

296. A District Delegate shall not grant probate or letters of administration in any case in which there is contention as to the grant, or in which it otherwise appears to him that probate or letters of administration ought not to be granted in his Court.

Explanation.—"Contention" means the appearance of any one in person, or by his recognized agent, or by a pleader duly appointed to act on his behalf, to oppose the proceeding.

Power to transmit statement to District Judge in doubtful cases where no contention.

297. In every case in which there is no contention, but it appears to the District Delegate doubtful whether the probate or letters of administration should or should not be granted, or when any question arises in relation to the grant, or application for the grant, of any probate or letters of administration, the District Delegate may, if he thinks proper, transmit a statement of the matter in question to the District Judge, who may direct the District Delegate to proceed in the matter of the application, according to such instructions as to the Judge may seem necessary, or may forbid any further proceeding by the District Delegate in relation to the matter of such application, leaving the party applying for the grant in question to make application to the Judge.

Procedure where there is contention, or District Delegate thinks probate or letters of administration should be refused in his Court.

298. In every case in which there is contention, or the District Delegate is of opinion that the probate or letters of administration should be refused in his Court, the petition, with any documents which may have been filed therewith, shall be returned to the person by whom the application was made, in order that the same may be

presented to the District Judge, unless the District Delegate thinks it necessary, for the purposes of justice, to impound the same, which he is hereby authorised to do; and, in that case, the same shall be sent by him to the District Judge.

Grant of probate to be under seal of Court.

235. When it appears to the District Judge or District Delegate that probate of a will should be granted, he shall grant the same under the seal of his Court in the form set forth in Schedule VI.

Grant of letters of administration to be under seal of Court.

236. When it appears to the District Judge or District Delegate that letters of administration to the estate of a person deceased, with or without a copy of the will annexed, should be granted, he shall grant the same under the seal of his Court in the form set forth in Schedule VII.

Administration-bond.

237. (1) Every person to whom any grant of letters of administration, other than a grant under section 241, is committed, shall give a bond to the District Judge with one or more surety or sureties, engaging for the due collection, getting in, and administering the estate of the deceased, which bond shall be in such form as the Judge may, by general or special order, direct.

(2) When the deceased was a Hindu, Muhammadan, Buddhist, Sikh or Jaina or an exempted person—

(a) the exception made by sub-section (1) in respect of a grant under section 241 shall not operate;

(b) the District Judge may demand a like bond from any person to whom probate is granted.

Assignment of administration-bond.

238. The Court may, on application made by petition and on being satisfied that the engagement of any such bond has not been kept, and upon such terms as to security, or providing that the money received be paid into Court, or otherwise, as the Court may think fit, assign the same to some person, his executors or administrators, who shall thereupon be entitled to sue on the said bond in his or their own name or names as if the same had been originally given to him or them instead of to the Judge of the Court, and shall be entitled to recover thereon, as trustees for all persons interested, the full amount recoverable in respect of any breach thereof.

Time for grant of probate and administration.

239. No probate of a will shall be granted until after the expiration of seven clear days, and no letters of administration shall be granted until after the expiration of fourteen clear days from the day of the testator or intestate's death.

Filing of original wills of which probate or administration with will annexed granted.

240. (1) Every District Judge, or District Delegate, shall file and preserve all original wills, of which probate or letters of administration with the will annexed may be granted by him, among the records of his Court, until some public registry for wills is established.

(2) The Local Government shall make regulations for the preservation and inspection of the wills so filed.

Procedure in contentious cases.

241. In any case before the District Judge in which there is contention, the proceedings shall take, as nearly as may be, the form of a regular suit, according to the provisions of the Code of Civil Procedure, 1908, in which the petitioner for probate or letters of administration, as the case may be, shall be the plaintiff, and the person who has appeared to oppose the grant shall be the defendant.

Surrender of
revoked probate
or letters of
administration.

236. (1) When a grant of probate or letters of administration is revoked or annulled under this Act, the person to whom the grant was made shall forthwith deliver up the probate or letters to the Court which made the grant.

(2) If such person wilfully and without reasonable cause omits so to deliver up the probate or letters, he shall be punishable with fine which may extend to one thousand rupees, or with imprisonment for a term which may extend to three months, or with both.

Payment to
executor or
administrator
before probate or
administration
revoked.

237. When a grant of probate or letters of administration is revoked, all payments *bona fide* made to any executor or administrator under such grant before the revocation thereof shall notwithstanding such revocation be a legal discharge to the person making the same; and the executor or administrator who has acted under any such revoked grant may retain and reimburse himself in respect of any payments made by him which the person to whom probate or letters of administration may afterwards be granted might have lawfully made.

Power to refuse
letters of
administration.

238. Notwithstanding anything hereinbefore contained, it shall, where the deceased was a Muhammadan, Buddhist or exempted person, or a Hindu, Sikh or Jain to whom section 57 does not apply, be in the discretion of the Court to make an order refusing, for reasons to be recorded by it in writing, to grant any application for letters of administration made under this Act.

Appeals from
orders of District
Judge.

239. Every order made by a District Judge by virtue of the powers hereby conferred upon him shall be subject to appeal to the High Court in accordance with the provisions of the Code of Civil Procedure, 1908, applicable to appeals.

Concurrent
jurisdiction of
High Court.

240. (1) The High Court shall have concurrent jurisdiction with the District Judge in the exercise of all the powers hereby conferred upon the District Judge.

(2) Except in cases to which section 57 applies no High Court, in exercise of the concurrent jurisdiction hereby conferred over any local area beyond the limits of the towns of Calcutta, Madras and Bombay, and the province of Burma, shall, where the deceased is a Hindu, Muhammadan, Buddhist, Sikh or Jain or an exempted person, receive applications for probate or letters of administration until the Local Government has, by a notification in the local official Gazette, authorized it so to do.

Removal of
executor or
administrator and
provision for
successor.

241. The High Court may, on application made to it, suspend, remove or discharge any private executor or administrator and provide for the succession of another person to the office of any such executor or administrator who may cease to hold office, and the vesting in such successor of any property belonging to the estate.

Directions to
executor or
administrator.

242. Where probate or letters of administration in respect of any estate has or have been granted under this Act, the High Court may, on application made to it, give to the executor or administrator any general or special directions in regard to the estate or in regard to the administration thereof.

CHAPTER V.

(Of Executors of their own Wrong.)

Executor of his
own wrong.

243. A person who intermeddles with the estate of the deceased, or does any other act which belongs to the office of executor, while there is no rightful executor or

